The Solicitors' Journal.

LONDON, APRIL 4, 1863.

THE PROPOSED change of circuits has naturally given rise to considerable difference of opinion among those whose interests are likely to be affected. After a great deal of discussion, it is said that at last the government had decided upon the re-arrangement which is to be made. There is to be a Lancashire circuit, including Appleby, Carlisle, Lancaster, Liverpool, and Manchester; and a Yorkshire circuit, formed out of the remainder of the present Northern circuit and of Lincoln, Nottingham, and Derby, which now belong to the Midland circuit. The remaining places in the latter circuit are to be added to the Norfolk circuit. Such, at least, is the scheme which it is generally believed has received the sanction of Government. The members of the Midland circuit will probably be most disposed to object to it. The *Saturday Review*, in an article which evidently was written by a member of that circuit, makes the following remarks on the topic:—

That the Northern Circuit is too large there can be no sort of doubt, and it is equally true that the Norfolk Circuit is too small; but it by no means follows that the unoffending Midland Circuit ought to be abolished and parcelled out like a conquered territory between its two neighbours. To do so would inflict great loss on a number of private persons, and would not really remedy the evils which at present exist. The position of a circuit barrister is very peculiar. Assiduity on the circuits and at the quarter-sessions is the only legitimate path into business for those who are not the sons or sons-in-law of attorneys. After spending large sums in travelling between some six or seven county towns for three or four months in every year, and watching other men doing their business, he contrives at last to work his way into a profitable position. To cut such a man's circuit in half is to throw him on his back, and set him to begin the world again after years of anxious labour. Of course, this private hardship is nothing in comparison with a considerable public benefit, but it is a strong reason for not making changes which would not go to the root of the evil. The proposed change would do nothing of the kind. The root of the evil is that the circuit arrangements are, to a great extent, antiquated. The object of the circuit is to bring justice home to the doors of persons living in all parts of the country. When the present arrangements were made, they effected this object, for the county towns were the most important towns in the country; but the growth of wealth and commerce has completely altered their position, by converting obscure villages into great cities. These great cities ought to have assizes of their own. Not having them, they bring up many of their causes to London, where the courts get choked with business which ought never to come there, with the most discreditable results. Hence, what is really required is an increased number of judges and of assize towns, both of which arrangements would be highly beneficial to the public. By appointing two new judges and re-distributing the Northern Circuit, the civil business would be so much increased that ample work might be found for four judges instead of two, while very little injury would be done to the Bar. There are at least three towns in Yorkshire at which assizes might well be held—Hull, Leeds, and York; and if Durham and Newcastle were added to them, the five would make up a circuit of a very convenient size. On the other hand, there can be no doubt that assizes ought to be held at Birmingham, which now distributes its causes between Stafford and Warwick—places which were respectable cities when Birmingham was an insignificant country town, but which are now mere country towns, whilst Birmingham is a great city with a population of not much less than a quarter of a million. No doubt this would leave some anomalies in the circuits untouched, but no one proposes to re-distribute them altogether. The appointment of two new judges would no doubt cost the country £10,000 a-year, but no money could be better spent. The effect of the great reforms in the law and the great increase of wealth which has taken place during the last quarter of a century has been to increase the business of the superior courts to an immense extent. There are arrears in the Court of Queen's Bench, and the Divorce Court finds more than enough work for one judge. If a fifth judge were appointed in the one court, and a second, who should also go circuit, in the other, the public would get their money's worth without any reference to the circuits; and if this change were combined with the extension of the advantage of assizes to several of the great towns which are at present without them, the combined result would be doubly advantageous. The plan said to be determined on by the Government would inflict needless private injury without really curing the existing evil.

The "junior" of the Northern circuit has also written to the newspapers to prevent it being supposed that the Bar of that circuit were, as a body, as favourable to the Government plan as might be supposed from some remarks on the subject which have been made by the *Times* reporter of the circuit, apparently under the notion that the writer was giving expression to the general feeling of the Northern Bar. We are not aware whether the Norfolk circuit has expressed any opinion on the subject.

THE CHANCELLOR OF THE EXCHEQUER has just introduced a bill, whereof the object is, according to the preamble, "to give further facilities to the holders of the public stocks in respect of the transfer thereof and the receipt of the dividends thereon." If this bill passes it will enable any person inscribed in the books of the Bank of England as proprietor of a share in the public stocks to obtain a certificate of title to such share, with coupons annexed, entitling the bearer of the certificate to dividends thereon. Reconversion into stock will be permitted at the pleasure of the holder. Each certificate will comprise only amounts of £50 or multiplies of fifty not greater than £1,000, and is to be transferable either to bearer by delivery or to any nominee by endorsement. Coupons will be payable at the Bank at the expiration of three clear days from the day of presentation, and at any branch of the Bank at the expiration of five clear days. Such is an outline of the proposed measure, framed apparently to meet the growing inclination for something akin to the French *titres au porteur* which has been lately noticed among the commercial classes. The plan of transferring stock from hand to hand in any place, though new in England, is not intended to supersede the whole system of transfer in the books of the Bank, but to work as a co-adjutor of it. Every holder of Consols may do as he pleases, keep his investment as it is and receive his dividends in the old fashion, or take out a few certificates and lock them up or put them in his pocket. The same object as was sought by the inventors of bills of exchange, promissory notes, and other negotiable instruments is now sought by means of stock certificates payable to bearer. The advantages and convenience of these certificates speak for themselves. Anybody having spare money will be enabled to make a temporary investment, and to pocket a little interest by the simple process of buying up certificates at market price, wherever he may be. Much of this convenience will depend on the popularity of the scheme, for it is only if the certificates become obtainable everywhere, and at all times, that they will be very handy indeed. Success, therefore, is as uncertain as the gale of public favour. The coupons, being payable not only in London but at the various and distant branches of the Bank of England, would save trouble to many of the public creditors. Difficulties and dangers certainly exist. Troubles may arise out of the loss of stock certificates, and from forgery and robbery. These are points for the consideration of Parliament and the public. No man need endanger himself without first counting the cost, and, if any, for a great convenience, be content to take a little additional care and incur a little additional risk, here is the opportunity. The more serious danger would be in the facilities to be afforded by the measure to rogues—fraudulent trustees, for example, and executors. The 4th section of the bill contemplates this danger, and makes an effort to arrest it by permitting no trustee to apply for or to hold a cer-

tificate without a special power to that intent contained in the instrument of his trust. Without being quite a *brutum fulmen*, this clause is of necessity narrowed by a qualification exempting the Bank from all obligation to make inquiry on application and from liability. Possibly, therefore, a trustee who means to commit a fraud may find stock certificates useful to his ends. A summary of the bill will be found elsewhere in our impression of to-day.

The Union Assessments Act, 1862, has proved almost as great a failure as the Parochial Assessment Act of 1836. Both statutes were intended to insure equality or uniformity in the mode of valuing assessable hereditaments, and it was expected that the more recent Act would steer clear of the embarrassments which impeded the successful operation of its predecessor. But the result may be already judged by experience. We pointed out at the time the differences of opinion that were likely to arise on the subject of the "net rateable value," as distinguished from the "gross estimated rental;" and a letter which Mr. Stockdale, of Carke, has recently addressed to the *Times*, shows what a divergence of practice on this point has already sprung up. Mr. Stockdale says—

In Norfolk the deduction for repairs and insurance on cottages under £6 per annum rental is 15 to 35 per cent.
In Devonshire, ditto, 33 per cent.
In Worcestershire, ditto, 20 per cent.
In Kent, ditto, 10 to 25 per cent.
In Somerset, ditto, 33 per cent.
Ulverstone Union (North Lancashire), first scale used, ditto, 50 per cent.
Ulverstone Union, second scale, after the county meeting at Preston, ditto, 20 per cent.

The following are the scales in full of the above-mentioned five counties, and of the two scales of the Ulverstone Union, North Lancashire:—

Norfolk.—Land, without buildings, 1 to 5 per cent.; land, including buildings, 5 to 15 per cent.; houses, 10 to 25 per cent.; cottage property, 15 to 35 per cent.

Devonshire.—Land, without buildings, 2½ per cent.; farms, including houses and buildings, not to exceed 12½ per cent.; houses above the rental of £6 per annum, 15 to 25 per cent.; cottage property under £6, 33 per cent.

Somerset.—Land, without buildings, 2½ per cent.; farms, including buildings, 12½ per cent.; houses, 15 per cent.; cottage property, 33 per cent.

Worcestershire.—Land, without farm buildings, 2½ per cent.; land, with farm buildings, 7½ per cent.; houses, and other buildings, 15 per cent.; cottages, 20 per cent.; tithe commutation (last year's commutation), 10 per cent., and tenant's rates and taxes and tenant's property tax; mills, manufactories, collieries, canals, railways, brick-yards, &c., left to the discretion of the assessment committees.

Kent.—Wood land, 1 per cent.; land, without buildings, not to exceed 2 per cent.; farms, with necessary buildings, 5 to 12 per cent.; houses and cottages, 10 to 25 per cent.; tithe commutation rent charge, 3 to 7 per cent.; mills, manufactories, railways, canals, collieries, &c., left to the discretion of the assessment committees.

North Lancashire.—Ulverstone Union (first scale used). Land, without buildings, 5 per cent.; land, with farm buildings, 10 per cent.; houses, 15 per cent.; coppice woods, 15 per cent.; mills and works, 20 per cent.; cottages under £6 rental (uncompounded for), 25 per cent.; ditto (compounded for), 50 per cent.

North Lancashire.—Ulverstone Union (second scale used). Land, without buildings, 5 per cent.; land, with buildings, 7½ per cent.; houses, 15 per cent.; mills and works, 25 per cent.; coppice woods, 25 per cent. (10 per cent. off gross sales price, 15 per cent. off gross annual value); cottages under £6 rental, 20 per cent.

The list of advowsons in the Lord Chancellor's bill comprises for the most part places very little known, but there are Newhaven, St. Neot's, Huntingdonshire; Ottery St. Mary; Yarmouth, Isle of Wight; Baldock, Herts; Stowe, Staffordshire; Walton-on-Thames and Winslow, Bucks. There is a schedule to the bill, stating the number of years' purchase by which the value of the advowson is to be ascertained; it may suffice to instance that with an incumbent thirty years old, the value is to be seven years' purchase; with the incumbent forty, eight years'; fifty, ten years'; sixty, thirteen years'; seventy, fifteen years'; eighty, seventeen years'. The calculation is to be upon the net yearly value, including fees and the glebe, but not the value of the house and garden. When a living under £200 a-year has been augmented to £300, or one of more than £200 to £350, any surplus of purchase-money not required for building or re-building a parsonage, may be applied by the Lord Chancellor in the augmentation of other of his small livings. Tenants for life, or in tail under a settlement, may grant rent-charges in purchase of these advowsons, the advowson to become part of the settled estate. The business of executing the Act is to be managed by the Lord Chancellor's Secretary of Presentations, who is to have out of the moneys received under the Act, or, in case of their deficiency, out of moneys to be provided by Parliament, an additional salary of £300 a-year, and a clerk £150 a-year. The schedule contains forms of all the deeds required, remarkably short.

The Bristol Law Society did good service to the profession by its energetic opposition to Mr. Bouverie's Writs Prohibition Bill (No. 1) The Society has again taken the field against the second edition of the same measure, and has issued widely throughout the kingdom the following circular:—

Law Library, Corn-street, Bristol,
30th March, 1863.

Writs Prohibition Bill (No. 2).

Dear Sir,—You are probably aware that Mr. Bouverie has re-introduced his bill in an amended shape, the second reading of which is appointed for Tuesday, the 14th April next.

At a meeting of the committee of the Bristol Law Society held to-day, it was determined to petition against the present bill, and to prepare and circulate practical objections to it, as we did against the first bill.

We hope your society will also do its utmost in getting up petitions from commercial men against the measure, and that you will communicate with your members in Parliament upon the subject, and as the Easter Holidays are so close at hand permit us to suggest that no time be lost in the matter.

If you have not received a copy of the bill, you will find it at full length in last Saturday's number of the *Solicitors' Journal*.—Yours truly,

H. S. Wasbrough, } Hon. Secs.
Lewis Fry, }

By a recent order of the House of Lords no petition for any private bill can now be received unless it shall have been approved by the Court of Chancery; and no petition for a private bill approved by the Court of Chancery can be received after Tuesday, the 12th of May. It has also been determined not to receive any report from the judges upon petitions presented to the House for private bills after the 12th of May.

The Liverpool Chamber of Commerce, at a special meeting, after a protracted debate, have agreed to adopt and support the principle of the bill now before the House of Commons for the power of extending limited liability to private partnerships, and for the registration of all partnerships.

It is rumoured that Mr. Commissioner Fonblanque, who has been absent from his duties for several months, will, owing to ill-health, shortly tender his resignation.

Sir Fitzroy Kelly has consented to take the chair at the third Anniversary Festival of the Solicitors' Benevolent Association, to be held at the Freemasons' Tavern, on the 17th of June next.

Mr. William Powell Murray, of the Equity Bar, has been appointed Registrar of the District Court of Bankruptcy at Manchester. Mr. Murray is of twenty years standing at the Chancery Bar, for the greater part of which period he has been in a good practice. His acceptance of a registrarship in bankruptcy will probably

be a surprise to many persons in both branches of the profession. It looks as if the business of counsel at the Chancery Bar was not in a very prosperous condition when we see a junior of good standing and business accepting such an appointment, and leaders, supposed to be in good business, willing to exchange it for the County Court Bench.

Mr. Serjeant Shee appears to have given great satisfaction to all parties as a judge on circuit, and the general feeling of the profession in favour of his elevation to the bench, when a vacancy next occurs, has found warm expression both in the metropolitan and local journals.

A new General Order of the Court of Probate came into operation on the 2nd of last month (March). It repeals all orders and instructions previously issued for the district registries.

The Chancery Vacation commenced on Monday last, and will terminate on the 8th inst. The offices of the common law courts will be closed until Wednesday next.

The Weekly Reporter for the current year, up to and exclusive of to-day's number, contains reports of no less than 600 cases—namely, Chancery, 264; Common Law, 242; Probate, Bankruptcy, &c., 94.

THE WRITS PROHIBITION BILL (No. 2).

The new clause in Mr. Bouverie's second bill appears to be especially aimed at one of the principal objections urged in the petition of the Bristol Law Society to the first bill. Mr. Bouverie now proposes that in any county court action under forty shillings the plaintiff may have a summons served on the defendant twelve clear days before the return day thereof, and then if the defendant does not give notice of his intention to defend, "the plaintiff may within one month after such return day, without giving any proof of his claim, have judgment entered up against the defendant for the amount of his claim and costs." Elsewhere in our columns will be found a letter from a correspondent, Mr. Pearless, who, although generally favourable to Mr. Bouverie's scheme, forcibly points out the inconveniences likely to arise in case this new clause shall become law. Its least disadvantage will not be the confusion and uncertainty which are likely to be caused by such a departure from simplicity and uniformity of practice. As our correspondent states his objections fully and clearly, we need only refer our readers to his communication. In truth, however, the proposed addition to the original bill by no means meets the most formidable objections to its provisions. Although it is now proposed to throw upon the *defendant*, in the first instance, the expense and inconvenience of attending at a distant court, where he resides at a distance, yet this boon will be granted only upon condition of the plaintiff giving security for costs before he is allowed to sue for a debt justly due to him. Such a provision will be an absolute impediment in the way of poor creditors of the smaller class, and it is, moreover, opposed to the common practice of the superior courts, both of law and equity, which is founded upon what has hitherto been regarded as the indefeasible right of all persons resident in the kingdom.

Many of the objections urged by the Metropolitan and Provincial Law Association remain untouched by the bill in its present shape. Having already printed the petition to Parliament embodying those objections, we need now only refer to certain reasons for opposing the Writs Prohibition Bill (No. 2), the substance of which we take from the petition. They are as follows:—

1. Because in the superior court the plaintiff employs his own agent, over whom he has control, to serve the process, but in the county court he is compelled to entrust this to the bailiff, which frequently occasions considerable delay in the recovery of his debt.

2. Because, by a writ from a superior court, judgment can always be obtained for an undisputed debt, in eight days after service of the process, and execution issued in eight days more, and this often at a less cost than in the county court.

3. Because in execution in the superior court only 1s. poundage is payable to the sheriff, and that only *upon the amount he actually procures by the levy.*

4. Because in the superior court the plaintiff has no personal trouble or expense whatever, his attorney doing everything for him, and all the costs being recoverable with the debt.

5. Because the actual expense of such a proceeding, if no attorney is employed, does not exceed £1 16s., and the sheriff's poundage if incurred.

6. Because in the county court the court fees alone for plaint and hearing are 2s. 10d. in the pound—*i. e.*, £2 2s. 6d.—on a debt of £15, besides 1s. 6d. poundage on the whole amount of the debt, for execution, and that whether such execution is productive or not.

7. Because, in the county court, the plaintiff has to conduct his own case throughout at the risk of being non-suited, or to pay his attorney (say) £3 costs, £2 5s. of which he cannot recover from the defendant; the only attorney's fee allowed on taxation between party and party being 10s. or 15s., according to the amount of the debt.

8. Because in executions from the superior court the plaintiff has the selection of the sheriff's officer, and the number of such officers, the competition that exists among them, the fear of an action, and the fact of the poundage depending on the result of the levy, generally prevent neglect, delay, or other misconduct.

9. Because in the county court, when the plaintiff has paid the poundage, the levy (as is the case also with the original process) awaits its turn among numerous others, and the defendant's goods are probably removed before the execution is put in force, and this without any proveable neglect, connivance, or omission on the part of the bailiff, so that the plaintiff has no redress.

10. Because in this way fees amounting in all to 4s. 4d. in the pound on the debts, are continually paid to the county court, without the plaintiff's deriving any beneficial results.

11. Because in case an action in the superior court for a debt not exceeding £20 is defended, it can be and usually is tried at a very small expense before the sheriff of the county where the action is brought, under the provisions of the 3 & 4 Will. 4, c. 42. In the sheriff's court attorneys have audience, and it is not usual to employ counsel.

12. Because so great are the advantages of a superior court that it is a constant practice for plaintiffs to sue there for debts under £20 in cases not within the concurrent jurisdiction, and to bear their own costs.

13. Because plaintiffs should have the option in all cases in which court to sue for debts.

STATISTICS OF THE COURTS OF BANKRUPTCY AND INSOLVENCY, 1861.

The bankruptcy returns have, since 1859, been prepared with great fullness and precision. The report for that year informs us that the returns are compiled upon the principle of showing the amount of transactions that took place under each head during the year, but without reference to the commencement or termination of causes within that period. The same principle has been adopted in the returns for 1860, and in the present issue. The Registrar-General goes on then to add that this is the best principle that can be adopted for statistical purposes. We are reluctant to differ from Mr. Redgrave (who has, we believe, ceased to be connected with this department, which he has so largely contributed to establish on its present basis), but we own that we should like to see some returns for each year unmixed with the statistics of adjoining years. What could be easier than to give the number of causes commenced and terminated within the year? If there was given a comparative table for several years, this omission might, perhaps, be less serious; but as the tables now stand, the defect is, we think, inexcusable, and ought to be remedied in the next issue.

The bankruptcy returns for the year 1861 include only from the commencement of the year to the 11th of October, when the recent Bankruptcy Act came into operation. The proceedings in all the bankruptcy courts for

the portion of the year mentioned were as follows:—The total of petitions for adjudication by creditors was 725; the total of petitions for adjudication by traders against themselves was 366; the number of such petitions prosecuted to adjudication amounted to 1,034; the number of petitions for private arrangement under the control of the Court, upon which adjudications in bankruptcy were made, was 49. The total number of bankrupts in the nine months specified was 1,222, of whom 1,027 passed their last examination, their debts being £3,894,322. The number of bankruptcies above £100,000 was 3. The average for each case was £3,791. The rate of dividend was in 433 cases nil; in 28 only it was 20s. £29 1s. 6d. per cent. on the balance-sheets was realised by the courts. The expenses of administration, to lessen which so much discussion has taken place, were £32 9s. 11d. per cent. on the amount for administration. In 1860 the corresponding return was £30 9s. 8d. The sum ordered for dividend amongst the creditors averaged £16 17s. 5d. per cent on the total debts in the balance-sheets. So small a proportion of assets to debts suggests to us the question whether the expenses of administering bankrupt estates, the *pons asinorum* of this branch of legal administration, can be very much diminished by any legislative remedy. It would be better, we think, for the commercial public to await the developed and mature working of any existing system of bankruptcy regulations, rather than expect much satisfaction from frequent changes in this branch of law.

As, under the new Bankruptcy Act, the classification of certificates is abolished, we need not quote any portion of the statistics relating to them. We may observe, however, that in upwards of one-fourth of the cases, the certificates were suspended or refused without protection, whereby the opinion of the commissioners was shewn that in all these cases the bankrupts were chargeable with more or less culpability. Another index to the moral status of the bankrupts is afforded by the number of their previous failures. The following return is only approximately correct:—Nil, 716; once, 170; twice, 32; thrice, 7; above three times, nil. The causes of the bankruptcies were thus noted by the commissioners:—reckless and unsound speculations and excessive trading, 365; interest, discount, accommodation bills, suretyships, 152; incompetence, neglect, personal extravagance, 299; unavoidable misfortunes, 154. The report justly observes that these returns indicate much criminality on the part of the traders who pass through the Court of Bankruptcy. The appeals were 33; in 11 of them the judgments were affirmed, in 9 reversed, in 10 varied; 3 were left pending or abandoned.

The proportion of the business in each court was as follows:—The London court, 44·5 per cent.; the Birmingham court, 16·9 per cent.; the Leeds court, 11·6; the Manchester court, 8·2; the Liverpool court, 7·4; the Bristol court, 6·1; the Exeter court, 3·4; the Newcastle-on-Tyne court. 1·9. The amount of dividend per cent. calculated on the amount of debts in the balance sheets was as follows for each court:—The Leeds court, £24 19s. 1d.; Exeter, £19 14s. 9d.; London, £16 14s. 11d.; Manchester, £13 19s. 11d.; Birmingham, £13 13s. 5d.; Liverpool, £9 16s. 7d.; Bristol, £9 10s. 4d.; Newcastle-upon-Tyne, £8 14s. 3d. The only principle affecting this variation of dividends that appears to us deducible from these returns is, that trade is steadier, and speculation less rife in the cotton and woollen manufactures than in maritime adventure, and that hence we find a less amount of defalcation at Leeds than at Newcastle-upon-Tyne.

It appears that the system of private arrangement, under the control of the Court without bankruptcy, under the statute 12 & 13 Vict. c. 106, had increased considerably in popularity during the year 1861. This result corroborates the opinion hereinbefore expressed by us regarding the expediency of giving the system *in esse*, however apparently defective, a fair trial. The total number of petitioning traders in 1861, up to the 11th of October of that year was 301; in 1860 the number for the entire year was 218; in 1859 it was only 123. The total amount of debts in the balance sheets was £1,443,478. The report contains a judicious caution against supposing that the gross produce of the estates received by the official assignee (which was only £33,113), represents the whole amount realized from estates withdrawn from, as well as from those administered under, the control of the Court.

The expenses of administration were £29 9s. 2d. upon the amount received. We should like to ascertain what were the expenses per cent. of administering even a few estates withdrawn from the aid of the Court, in order that we might learn how much (if any), of the great expense of administering estates in bankruptcy is to be attributed to bureaucratic routine.

There were but few proceedings under the statute 7 & 8 Vict. c. 70 (commonly known as the Gentleman's Act), and the 23 & 24 Vict. c. 147, which was likewise intended to facilitate arrangements between debtors not being traders, and their creditors. The expenses of administration, however, were only £18 11s. 2d. on the amount received for administration. The difference between this per centage and the huge cost of administering estates in bankruptcy, indicates that the large amount of the latter is to be attributed more to the nature of the estates administered than to extravagance on the part of the Court. "Gentlemen" do not speculate largely, except it may be on the turf, and hence their assets are easily collected.

There were seventeen petitions for winding-up joint stock companies filed in the Court. There were four appeals, in two of which the judgments were affirmed; in one reversed, and in one varied.

The insolvency returns for nine months of the year 1861 comprise 3,129 petitions, of which eighteen were filed by creditors. Of this number 683 were cases within the exclusive jurisdiction of the Court in London. The total number of insolvents for the nine months of 1861, exceeded the number for the whole of the year 1860. A like increase occurred in 1861, in proceedings under the Protection Acts. The report attributes this increase to a desire on the part of the insolvents, to have their affairs settled under the old law of insolvency. We think, however, that it was not any comparison of the provisions of the old with those of the new law, regarding which most insolvents were incompetent to form any judgment, that produced this phenomenon, but simply a desire on the part of the insolvents to avoid the delays usually incident to the working of a new procedure.

In 55·4 per cent. of the cases the amount of debt was under £590. Of the insolvents 20·8 per cent. had been before insolvent or bankrupt; 16·4 per cent., once; 27, twice; 25, three times; and 15 more than three times. Of the total number (3,211) who appeared for hearing, 708 came before the Insolvent Court; and 2,503 before the county courts. With respect to the expense of administering insolvent estates, the county courts appear to have administered this description of assets much more cheaply that the London court. The average expense in the latter jurisdiction was £35 14s. 6d. per cent.; in the former it was only £23 14s. 3d. It is highly probable, however, that the estates administered in the county courts are, as a general rule, less entangled than those brought under the control of the London tribunal; and all know how easily a little commercial or legal complication will lead to considerable expense. We are clearly of opinion that the great expense of administering bankrupt estates is in all cases mainly attributable to the inherent difficulty of realizing such, and not to any defects in our past or existing bankruptcy code, however numerous these may possibly be. This view is further greatly corroborated by the fact that the expense of realizing estates under the Protection Acts, 5 & 6 Vict. c. 116, and 7 & 8 Vict. c. 99, averaged only £7 14s. 6d.

per cent. Now, whence arises the great discrepancy between this per-centage and the vast expenses of administering estates in bankruptcy. The legal machinery used was the same or nearly so in both classes of proceedings. The difference of expense must be attributed, therefore, to the less entanglement to be found in the affairs of persons who were prudent enough not to contract more than £300 debt (being the amount to which alone the Protection Statutes reached), until they applied to the Court for protection from personal arrest. Very different was the conduct of a large portion of bankrupts (84·1 per cent.) who piled up a negative Pelion upon a negative Ossa—endeavoured to prop up one unsound speculation by another still more reckless—until all fell to the ground by reason of their inherent inanity.

The number of insolvent cases before the county courts has been much greater than the corresponding return for the Insolvent Debtor's Court, but the proceeds whereon dividends were declared, were of about the same amount in both courts; while the total amount of scheduled debts was vastly greater in the Insolvent Court. The returns stand thus:—under the Insolvency Acts the number of petitions filed in the Insolvent Court was 683; in the county courts, 2,446. The insolvents who appeared for hearing in the former court numbered 708; in the county courts, 2,503. The estates realized in the former judicature were 84; in the latter courts, 156. The proceeds whereon dividends were declared amounted in the former court to £14,263; in the latter courts to £14,938. The amount of scheduled debts was, in the former court, £263,368; in the county courts, £187,609. The debts satisfied by payment or otherwise were, in the Insolvent Court, £25,483; in the county courts, £11,684. The value of the estates administered in the county courts, under the Protection Acts, bears a more appropriate proportion to the number of those estates, as compared with the corresponding returns for the Insolvent Court, than we found to be the case with respect to proceedings under the Insolvency Acts. The reason of this discrepancy is perhaps attributable to the fact that the average amount of the debts and assets of insolvents, within the London district, is greater than the average liabilities of country defaulters, simply because trade generally is conducted on a larger scale in the metropolitan than in the country districts. But as speculation is more active in the former localities than in the country districts, we find that few applied for the protection of the court until it could avail them but little. Thus, while the number of petitions under the Protection Acts, filed in the Insolvent Court, was about one-half of the number filed, under the same Acts, in the county courts, the number of estates realized in the London district bore but a small proportion to the corresponding return for the county courts; while the value of the estates realized in these tribunals was more than five times greater than the value of the estates realized in London. This will, we think, appear from the following returns:—Under the Protection Acts the petitions and schedules filed in the Insolvent Court were 1,051; in the county courts they were 2,170; the number of petitioners who appeared for hearing before the London court was 1,223; before the county courts, 2,289; the estates realized were, in the London courts, 61; in the county courts, 537; the value of estates realized was, in the London court, £3,479; in the county courts, £17,518; the scheduled debts were, in the London court, £43,248; in the county courts, £184,982.

If we except the defect of not giving the number of causes commenced and terminated, nothing can be more complete than the statistical returns of the proceedings in bankruptcy and insolvency for the portion of the year to which the present statistics apply, and his period, although only three-fourths of the year, is as sufficient for all practical purposes as if the returns of the entire year were given. Any one curious enough to estimate what would probably be the total of the proceedings for the whole of the year 1861, has only to add to the present items one-fourth of their number, and he will obtain the desired data. This portion of the judicial statistics appears to have been pepared by one who knew the main object of the recent discussions upon, and legislative changes of, the law of bankruptcy and insolvency. That object, we need hardly inform our readers, has been to lessen the enormous expense of administering this description of estates. Upon this head we offer no observations. Our duties, as critics of the tables before us, require us merely to collate, expound, and compare, but not to construct or originate.

UPON THE RIGHT OF BEARING AND CHANGING NAMES.*

Sect. 4.—Family Names.

Public Legal Interest in Nomenclature.

(*Continued from page* 391.)

I do not venture to decide whether the German nations from the beginning† held another view of nomenclature to that contained in the Roman law, with reference to the relation of the individual to his own name acquired according to fixed rules. I will not examine whether the condition of public law in Germany, from the fourteenth to the sixteenth century, better endured the use of the Roman dogma, and therefore its reception, than its later and present ones—but for the law as it exists at present I decidedly deny the power of making use of the Roman constitution. If no constitutional documents and no act of public law decided that each one should bear unchanged through life the name acquired according to fixed rules, and might only under certain suppositions and formalities assume another, yet, these propositions are the undoubted suppositions of a whole line of public legal orders and instructions, they are, therefore, *implicite* contained in them. The name is in countless arrangements of the community and of the State the chief means, in many the the only means, of describing surely, and distinguishing from others the individual person. To the name as the lasting companion of the person not changeable at will, public rights as well as public duties appear linked; countless public constitutional arrangements are based upon it, or at least require names to designate the members of the community or citizens of the state; as for instance the whole style and manner of elections in our representative constitution, and some isolated regulations of the departments of justice, taxation, and war, of the defensive and protective police. The Legislature has undoubtedly, in putting forward and carrying out these arrangements, gone upon the supposition that the individual should not only according to almost unbroken custom retain and bear his name acquired according to fixed rules, but, moreover, that an alteration and exchange may not take place of his own absolute will, but under certain conditions, among which must be the concurrence of the authorities. With this condition of public law the existence and use of the Roman dogma is quite irreconcilable; since according to the latter the value and efficiency of all those institutions and regulations would be dependent on custom, and be referred to the will of the individual. Allowing, therefore, that the enunciation of Roman law on the liberty of changing names was received and observed in Germany, in favour of which, in fact, citations might be made,‡ yet it must be considered to have been abrogated again

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* From the German of Dr. Robert Hermann, of the University of Jena.

† The lex Visigoth, lib. VII., tit. V. § 6, (Walter, C.J., germ. I. C. 871) expresses itself at least very generally, "*qui sibi nomen falsum imponit rem falsitatis habetur.*"

‡ For example, in the so-called age of the humanists, the very wide spread custom of the learned to Latinize or Gracize their names. It appears, indeed, from the above-mentioned case of Majoragius, that at first this right was very questionable, and that in every change of name—quite in accordance with the *Lex Visigothorum*—the *crimen falsi* was descried.

since the seventeenth century by the wholly altered condition of public law, especially by the introduction of such institutions and regulations as undoubtedly presuppose the stability and unchangeableness of the names of individuals. And institutions whose value and efficiency would be rendered questionable if the Roman dogma retained its force are not found only here and there in Germany, and therefore as manifestations merely of particular laws; but however diverse in form, and differing in the objects they are intended to serve, they are everywhere found in Germany. Their supposition that the name cannot be altered absolutely and without further ceremony at the will of the individual, is therefore, an enunciation of the common public law of Germany.

Further, I do not doubt that the question, how the individual receives or acquires his name, is partly decided by the law of custom in Germany, and that in the same way the point that the alteration or exchange of name, even with the most innocent intention, is in no way a matter of absolute free will, but is only permitted under certain suppositions and formalities, is sufficiently settled.

The individual receives his fore-name according to the choice of those entitled to confer it; the family name is considered as acquired at birth.* At the moment of birth the question what surname the new-born person is to bear is already decided, or is considered to be decided; therefore no mention is made of the surname at baptism. As the individual acquires his surname irrespective of any free will of his own, so he retains and bears the same throughout his life, and hands it over in his turn, *ipso jure*, to his descendants. Einert† looks upon this position of things as a custom everywhere observed in Germany, without having the character of law, as regards legal obligations; I do not insist on claiming for it a legal character. I believe that every one, without exception, who has not read the *cst. un. Cod.*, and does not hold the declaration contained in it for received, holds himself legally bound to bear his inherited name, and holds a change of the same to be legally permitted and secure only under certain conditions, among which is the concurrence of the authorities. This commonly diffused view of the law explains how it is that thousands retain their *nomina tam insulsa, inepta, ridicula, quin et obscœna*, to quote Leyser, and hand them down to their descendants.

I know not on what grounds an attempt was and could be made to deprive the assertions—that every one is bound to retain and bear the name acquired in accordance with fixed rules, and that an alteration or exchange, with even the best intention, does not lie in his own private power—of the character of a law of custom. For no one will dispute that these assertions are the legal convictions of the the German nation collectively, that it looks upon them as founded on legal necessity, and that, with scarcely an exception worth naming, they were everywhere received and observed in the last century.

It would be superfluous, though not difficult, to search out the motive which "led to the formation" of this law of custom. I will only remark that the same grounds on which Einert, s. 118, ff, supports his legal propositions are undoubtedly factors in its development. I do not doubt, that what Einert will have fixed by an express law, "that every alteration of the personal name, which is combined with the surrender of the name acquired by birth or otherwise (for example, by entering into marriage on the part of the wife, by adoption or legitimization), should be dependent on a *causæ cognitio* of the authorities for its approbation and confirmation," is already fixed by the law of custom.

If one looks at the numerous, exact, and often detailed decisions which the compendiums and schemes of law* in Germany, set forth, upon the position of the individual with regard to his name, its acquisition, and change, &c., he must be convinced that in them the common law of custom, of which we have spoken, has found unconditional recognition. The circumstance that they lay down very decided rules upon the acquirement of names, must exclude every doubt. The Roman dogma is, in fact, irreconcileable with these decisions. It is expressly annulled, at least in one direction, by the Prussian provincial law (Landrecht), Part ii., Title xx., s. 14,406. "Whoever, even without illegal intention, assumes a family name, or arms, without right, shall be forbidden the assumption under pain of an arbitrary, but express fine; and this punishment, in case of transgression, shall be really awarded to him."

But the Prussian Legislature did not long hold to this partial revival of the Roman law; It very soon forbade unconditionally every alteration or exchange at the will of the individual, even if carried out with the most innocent intention, and without effect on the already existing names of others.

Decree of the 30th of October, 1816:†—"Since experience has taught us that the bearing of assumed or invented names is injurious to the security of civil intercourse, as well as to the efficiency of the police-force, we hereby order the following:—§ 1. No one shall, under pain of a fine of from five to fifty thalers, or of a proportionate imprisonment, make use of a name which does not belong to him. § 2. If this assumption or invention of a name takes place with intent to deceive, the regulations of the general penal law come into force."

I conclude with the Royal Cabinet order of the 15th of April, 1822, to the effect that no one may alter his family or general name without permission of the Sovereign:‡ "I do not consider it necessary, on the report of the Ministry of the 27th of March, to promulgate any further decree on the unchangeableness of family or general names, but determine hereby that no one shall be allowed to alter his family or general name without permission of the Sovereign, under pain of a fine of fifty thalers or four weeks' imprisonment, even where the act does not proceed from any unlawful intention."

In France§ also the Roman legal enunciation on this subject has been annulled by an express law, which may be here given as viewed from the side of legislative policy.‖ It forms the second title of the already cited law relative to fore-names and changes of name of the II. Germinal of the year XI.

TITLE II.—ON CHANGES OF NAME (FRENCH).

Art. IV.—Every person who has any reason for changing his name, shall address a demand to Government, stating his motives.

Art. V.—The Government shall decide in the form prescribed by the regulations of public administration.

Art. VI. If it admits the demand, it shall authorise the change of name by a decree given in the same form, but which shall not come into force before the expiration of a year, reckoning from the day of its insertion in the *bulletin* of law.

Art. VII. During the course of that year, every person having a right shall be admitted to present petitions to Government for the revocation of the decree authorising the change of name, and this revocation shall be pronounced by the Government, if it judges the opposition well founded.

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* Mainzius, l. c., p. 174.—*Nam familiæ nomen cum ipsa luce quis accipiebat* (with an appeal to Varro, *de lingua lat.*)
† A. A. O. S. 109.

* The separate decisions of the Prussian provincial law, of the Austrian Civil Law Book, and the Saxon schemes of 1852 and 1860, will be further mentioned.
† Collection of laws for the Prussian States of 1816, Nr. 18—S. 216.
‡ Collection of laws of 1822, Nr. 7—S. 108.
§ According to a notice in Wiarda (S. 201, N b), the Roman law is also without force in England. Every change of name must be notified to the Lower House, and registered by it.
‖ I have not been able to obtain the "Exposé de Motifs" of Miot, cited by Einert, S. 132, and recommended on account of the great discussions on the French laws of nomenclature.

Art. VIII. If there has been no opposition, or if that which has been made has not been admitted, the degree authorising the change of name shall have its full and entire effect at the expiration of the year.

Art. IX. Nothing is changed by the present law in the regulations of the laws already existing relative to state-questions occasioning changes of name, which will continue to be prosecuted before the tribunals in the ordinary forms.

Under what conditions and forms a desired change of name can take place, however, what organ of the state is empowered to examine and to grant it, no general rules can be laid down.

(*To be continued.*)

THE LAW OF LIEN.

By Oliver Stephen Round, Esq., of Lincoln's-inn, Barrister-at-Law.

No. IV.

Special Liens (*continued*).

In considering the case of *Chase* v. *Westmore*, at the conclusion of the last article, the whole principle of the law on this branch of the subject was necessarily involved. A particular lien may be defined to be a right to retain goods in respect of labour or money expended upon them. In the case above referred to, it was held that a miller had a right to retain the meal, pollard, bran, &c., which arose from the labour that he had expended upon the wheat delivered to him to be ground, until he was paid the sum due to him for grinding such wheat; and the rule thus recognised, it is easy in most cases to apply it. One of the highest principles of justice is that a man should be paid for his labour; and hence, in the case of any one, let him be who he may, or of whatsoever calling, if he is in possession of a thing upon which, in justice, he has a claim, he can hold that chattel, if there be nothing more, until that claim is satisfied. When we come to the subject of agreements between bailors and bailees, of course the case is altered, as each case must be regulated by its own circumstances, always having regard to those circumstances, but where there is nothing inconsistent in them with the common right they do not affect it. A familiar case of particular lien is that of an innkeeper, and by the custom of London and Exeter, where a horse of a guest at an inn has eaten out his worth, the innkeeper may, upon a reasonable appraisement of four of his neighbours, sell it or take it as his own (*Meeke* v. *Townsend*, 3 Bulst. 271).

How Special Liens arise.

Particular liens may arise in various ways. By express contract; by implied contract arising from the usage of the trade, or the manner of dealing between the parties; and by operation of law from the relation and acts of the parties, independently of any contract. Some of the most important cases of specific lien arise as to ships and their freight, for a ship may have a lien on it for repairs to the shipwright, as well to the shipowners with respect to freight, and the cases are very various on this subject; and all such specific liens being consistent with the principles of natural equity, are favoured by the law, which is construed liberally in such cases (*Scarfe* v. *Morgan*, 4 M. & W. 283). The whole law on this point will be found in Tudor's Leading Cases of Mercantile and Maritime Law, 581 *et seq.* On the other hand, evidence may rebut the presumption of there being a lien (see Cross on Lien, 321; *Ex parte Douglas*, 3 Dea. & Chit. 310). A special lien is generally defined to be where a tradesman (journeyman usually) has goods whereon to work (*Naylor* v. *Mangles*, 1 Esp. 109; *Jackson* v. *Cummins*, 4 M. & W. 342); also the case of a party recovering a thing at some risk to himself (*Hartford* v. *Jones*, 1 Ld. Ray. 393); but there must be a legal interest (see *Haywood* v. *Waring*, 4 Campb. 291). Crown specialty debts are a special lien on land (33 Hen. 8, c. 39; 2 Vict. c. 11, ss. 8 and 9), and simple contract crown debts on chattels personal (Statute of Frauds, 29 Car. 2, c. 3, s. 16). But the goods of the debtor are bound only from the delivery of the *fi. fa.* (1 & 2 Will. 4, c. 56, s. 25).

There are several other kinds of specific lien, both at law and in equity, as on covenant, equitable mortgage, implied trust to pay debts as between partners, and with respect to accommodation acceptances.

Fraud will give a right to a special lien, as where a security fails by reason of misrepresentation (*Ex parte Wright*, 19 Ves. 255). But where the same thing happens by the failure of one party, as where a purchaser of a house and furniture became bankrupt, and the goods were sold under the bankruptcy, it was held that the vendors had a lien on the proceeds of that sale (*Ex parte Lord Seaforth*, *ibid.* 235).

A special lien will also arise in a case where there would be none, even by an agreement by parol, where there is some writing, as in the case of a bill of sale of a ship abroad (*Ex parte Halket*, 19 Ves. 474).

Pledges.

There seems a distinction between the cases of pledges and liens, for a mere right of lien is not understood to carry with it any right to sell to secure an indemnity. The foundation of the distinction rests on this, that the contract of pledge carries no implication that the security shall be made effectual to discharge the obligation (*Pothene* v. *Dawson*, 1 Holt. N. P. C. 385). But in the case of a lien nothing is supposed to be given, being a right of retainer.

Upon the obligation to return specific things entrusted for manufacture or otherwise, see the old case of Alfenus Dig. lib. 19, tit. 2, 1, 31, where an ingot of silver was given to a workman to form into an urn, and it was held that there was an absolute transfer to him of the whole property in the metal—that is, that actual piece of metal—but that he was to form the urn of silver, but not necessarily of the identical piece entrusted to him (Story on Bailments, 440). But by the modern law a special lien continues when the goods are turned into money (19 Ves. 235), and if goods be delivered to a workman in different parcels, that circumstance does not prevent the lien attaching (Tud. Mer. and Mar. Law, 572).

Although a special lien may be obtained under a contract express, yet a departure from that contract destroys the right of lien (*Twynam* v. *Hudson*, 10 W. R. 312, 8 Jur. N. S. 476).

Although a special lien will attach on the proceeds of real estate, yet there are exceptions, as where W. was ordered to pay the costs of a suit, and then sold his estate, to a purchaser with notice, and the purchase-money was received by W.'s solicitor, who retained his costs. This was held not to be a fraudulent conveyance under the 13 Eliz. c. 5, the decree not having been under the 1 & 2 Vict. c. 110, s. 19 (*Nortcliffe* v. *Warburton*, 10 W. R. 635). No special lien exists merely upon the fact of notice of bills being drawn in favour of third persons (*Frith* v. *Forbes*, 10 W. R. 658), that is, where a consignee receives and realizes a cargo upon which bills are drawn in favour of other parties, the fact that he knows of the bills being so drawn does not constitute an assent on his part to pay the bills.

Covenants.

With respect to covenants the law stands thus. It is, first, a question of construction, and must constitute something which is enforceable upon or relates to the subject of the lien; and it is then binding in equity (Cross on Lien, 187; 1 P. Wms. 104). Thus a covenant to appropriate the produce of real estates for a particular purpose constitutes a lien (*Legard* v. *Hodges*, 3 Bro. C. C. 531, 5 *ibid.* 421), and this will extend to a covenant to settle the rents and profits of real estate, and to settle an annuity in lieu of dower (*Foster* v. *Foster*, 3 Bro. C. C. 489, 1 Ves. Jun. 451). A covenant will even

a V. d. Plantz discusses this question, s. a. O. Also, Einert, s. 126, in opposition to the French law, s. 133, 134.

operate as a lien where the land is to be purchased (*ibid.*); and it will be presumed that the purchase was made in pursuance of the covenant (*Wilson* v. *Forman* 10 Ves. 519), the lien being that of the *cestui que trusts* (*Lane* v. *Dighton*, cited in Ambl. 400).

Creditors, however, although it may seem rather an anomaly, do not stand on so good a footing as simple *cestui que trusts* or beneficiaries in this matter, for it has been held that a covenant to sell estates (which is the converse case) does not create a lien in favour of creditors, although it is expressly covenanted that debts shall be paid with the proceeds (*Berrington* v. *Evans*, 3 Y. & C. 384; *Williams* v. *Lucas*, 1 P. Wms. 430 n). In the first of these cases Sir Walter Lewes entered into a composition with his creditors and executed a deed, whereby he covenanted to pay their debts with interest at a given day; and in the event of non-performance, to sell so much of his estate as should be found necessary for that purpose; and it was held to be a mere personal undertaking; and even if it was not, that it gave the creditors no specific lien on his lands, so as to enable them in an administration suit to receive payment *pari passu* with the judgment creditors.

EQUITY.

SOLICITOR AND CLIENT—PRIVILEGED COMMUNICATIONS.

Charlton v. *Coombes*, V. C. S., 11 W. R. 504.

This case raised two questions of great practical importance to solicitors. One of these was expressly, and the other impliedly, decided. The case came before the Court upon the objection of a solicitor to produce certain confidential correspondence of a deceased lady who had been his client, and also certain entries in his books made with reference to her business. The lady was entitled under the will of a relative to one-fourth of his residuary estate, but in case she married without the assent of the executors, her interest was to be cut down to an annuity of £50 a-year for her life. The executors having refused their assent she filed a bill for the administration of the testator's estate as a *feme sole*, and under a decree in the suit she received the sums which were payable to her upon the supposition that she had remained single or had not married without the executors' consent. After her death the executors filed a bill alleging they had discovered that soon after the testator's death she in fact had married without such assent, and charging that her suit was a fraud upon the Court. The solicitor was summoned as a witness before the examiner in the second suit, to which the alleged second husband, and also her children by a former marriage, were parties; but the solicitor was not a party, nor did the bill contain any allegation or charge connecting him with the alleged fraud. Under these circumstances he refused to produce the required correspondence and books, and thereupon his objection or demurrer was set down (according to the usual practice of the court) for argument before the judge. It need only be added that it appeared on the depositions taken by the examiner and returned by him to the court, that the children of the lady, one of whom was her administrator *ad litem*, waived her privilege, if any, as a client; and that her alleged second husband, who was also represented by counsel at the examination, did not insist upon it. The questions raised in the arguments were—1, whether the death of the client put an end to privilege; and 2, whether privilege could be set up where fraud was alleged. It is a curious fact that there is no distinct authority upon the first point. In *Herring* v. *Clobery*, 1 Phil. 92, the privilege of a client was successfully insisted upon after her death, when the cause came on for appeal, but the point of the effect of death upon the privilege was not argued, and is not referred to in Lord Lyndhurst's judgment. The only other authorities that we are aware of which may be cited upon this question are a dictum of Buller, J., in *Wilson* v. *Rastall*, 4 T. R. 753, and of Knight Bruce, V.C., in *Pearse* v. *Pearse*, 1 De G. & Sm. 27. In the above-named case of *Charlton* v. *Coombes*, the learned Vice-Chancellor was not called upon to decide this question, as in the course of the argument it was admitted that the privilege did survive the death of the client; and although there does not appear to be any distinct decision on the subject, public policy and logical consistency require that the privilege should not cease with the life of the client; and such will probably be held to be the rule of courts both of law and of equity, if ever it becomes necessary to decide the question expressly.

The second point was very much discussed in this case, and was decided, we believe, for the first time. In *Follett* v. *Jeffereys*, 1 Sim. N. S. 1, Lord Cranworth made some extra-judicial observations to the effect that communications between a solicitor and his client relative to a fraud contrived between them, are not exceptions to the general rule only because they do not fall within the rule. "For," said his Lordship, "the rule applies, not to all that passes between a solicitor and his client, but only to what passes between them in professional confidence; and no Court can permit it to be said that the contriving of a fraud forms part of the professional occupation of an attorney or solicitor." The same exception had previously been laid down by Lord Langdale, M.R., in the case of *Reynell* v. *Sprye*, 11 Beav. 619, where his Lordship said, "The solicitor acting as *particeps criminis*, and not in the true relationship of solicitor and client, is bound to produce the documents concocted between him and his client." In both these cases, however, the case made by the pleadings connected the solicitor with the fraud; and he was, upon this ground, in each case, made a party to the suit. In both cases there was a distinct charge as against him of fraud in *hâc re*, but in the above-named case of *Charlton* v. *Coombes*, neither was the solicitor a party to the suit, nor was there any allegation directed against him, or charging him with complicity; and it was upon this ground that the Vice-Chancellor decided the case. It appears to us that any other rule would be extremely inconvenient and harrassing to solicitors; or, at all events, that whether the allegations go so far as to connect the solicitor with the fraud or not, he should, in every case where discovery is sought from him upon the ground that the client's transaction complained of was fraudulent, be made a party to the suit, so that his liability to make the discovery should be distinctly raised as an issue. He would thus be informed by the record of the facts and circumstances under which the discovery was required, and he would not be compelled to decide off-hand when summoned as a mere witness in so delicate, if not dangerous, a matter.

COMMON LAW.

FISHERY—SOIL OF LAKE.

Marshall v. *The Ullswater Steam Navigation Company*, Q. B., 11 W. R. 489.

It has never yet been conclusively determined whether the ownership of a "several fishery" *primâ facie* implies the ownership of the subjacent soil, and this question, which Bracton, Coke, Comyn and Sheppard, failed to settle, is still vexed, although the above-named decision must be accepted as an authority, and so far as conclusive of the point. Inasmuch, however, as Lord Chief Justice Cockburn entertained a very strong opinion against the logic and the reason of the decision, and concurred in it only in deference to certain authorities, it cannot be considered as altogether satisfactory, or as unlikely to give rise to future discussion and doubt. In this case the plaintiff had taken a conveyance of a manor, with all rights, &c., thereto belonging, and also a several fishery in a lake lying partly within the manor, from a former owner, whose ancestor had had the fishery conveyed to him by a deed of feoffment, with livery of seisin indorsed thereon, reserving a quit-rent to another manor, within which, also, the lake partly lay; and which rent, it appeared,

had been duly rendered; and it was held, by the Court of Queen's Bench (Cockburn, L.C.J., *dubitante*), that *primâ facie* the ownership of the fishery imported the ownership of the soil in that part of the lake over which it lay; and that, therefore, the plaintiff could maintain trespass against the owners of a piece of land on the bank for erecting a jetty running into the lake.

The decision is only as to the *primâ facie* presumption in such cases, for it seems to be clear and unquestionable law that a several fishery is not necessarily united with the ownership of the soil. Cockburn, L.C.J., after observing that he was bound by the authorities to concur in the judgment of the Court, proceeded as follows:—

My difficulty arises from the inability to see that the ownership of the soil and of a several fishery can be considered as united. Bracton considers them as essentially distinct. Lord Coke, in his 1st Institute, Co. Litt. L. 1, c. 1, s. 1, 4 b, expressly lays it down that the grant of a several fishery, even when accompanied by livery of seisin, does not carry with it the soil. The language of Lord Coke is positive. He says—"If a man be seised of a river, and by deed grant *separalem piscariam*, and maketh livery of seisin *secundum formam chartæ*, the soil does not pass, nor the water, for the grantor may take water there; and then, if the river become dry, he may take the benefit of the soil; for there passed to the grantee but a particular right, and the livery being made *secundum formam chartæ* cannot enlarge the grant. For the same reason, if a man grant *aquam*, the soil shall not pass, but the fishery within the water passes therewith." Independently of the high authority of Lord Coke, I must say that this doctrine appears to be the only one reconcileable with principle or reason. It is admitted on all hands that a several fishery may exist without the ownership of the soil. Why then should it be considered, in the absence of negative proof, as carrying with it the property in the soil? The very reason for holding this of the use of the water for the purpose of fishery, is that the fishery is invested with the ownership of the soil, and is incident and accessory to the land, so that, on a grant of the land and water, the incidental right of fishery would necessarily pass with it. If, then, the intention be to convey the soil, why not convey the land at once, leaving the accessory to follow. Why grant the accessory that the principal may pass? Surely such a proceeding is illogical and unreasonable. The greater is said to comprehend the lesser: but this is as if the converse of that proposition held good. The grant of land carries with it the minerals which may be below the surface; but who ever heard of a grant of the minerals carrying with it the ownership of the soil? Why should the principle be good of the grant of a fishery—which is the grant of that which is above the surface—if it is not good as to the grant of the minerals—which be below the surface? Besides, there would be this startling absurdity, that on the water being entirely lost and becoming dry, and the fishery, which was the primary object of the grant, gone, yet the property in the soil, which only passed incidentally, as accessory to the grant of the fishery, would remain.

His Lordship's elaborate judgment, which is fully reported in the last number of the *Weekly Reporter*, will probably have the effect of producing an appeal, when it seems not unlikely that the law on the point will be definitively settled by reversing the recent decision of the Court of Queen's Bench.

INJURY OCCASIONED BY CONSTRUCTION OF SEWERS—ABSTRACTION OF WATER FROM SPRINGS FEEDING A POND.

Reg. on the prosecution of Stainton v. *the Metropolitan Board of Works*, Q. B., 11 W. R. 492.

In *Chasemore* v. *Richards*, 7 H. of L. Cas. 346, 7 W. R. 685, which is now the leading case touching rights in subterranean water, it was laid down by the House of Lords that the law respecting water flowing in visible channels is different from that respecting water percolating through the soil, and that in no case could a grant be presumed in the latter, nor could an exclusive right to such water, if it existed, be reconciled with the natural rights of landowners. In that case an occupier of an ancient mill used as of right the flow of the river Wandle, which was in part supplied by the rainfall of a district including the town of Croydon. The local Board of Health of that town sunk a well which intercepted underground water that would otherwise have flowed to the river, and thereby sensibly affected the working of the mill; and the House of Lords held that the miller was not entitled to maintain an action for such interception. In the case of *Dickinson* v. *The Grand Junction Canal Company*, 7 Exch. 282, it was previously decided that an action might be maintained against persons who had by digging a well intercepted percolating water that would otherwise have gone into a stream which flowed to the plaintiff's mill. But the Court of Exchequer there treated the case of percolating water as being governed by the same rules as apply to the case of visible streams above ground, while all the judges who were asked for their opinions by the House of Lords in *Chasemore* v. *Richards*, and also the majority of the law lords who delivered their opinions in that case, were unanimously of opinion that the principles which applied to flowing water in visible streams are wholly inapplicable to water percolating through underground strata. The effect of *Chasemore* v. *Richards* is, therefore, to overrule *Dickinson* v. *The Grand Junction Canal Company*.

In the above-named case, the claimant was owner of an estate upon which was a pond or lake, fed by natural springs rising in a small bed of gravel, resting on a bed of clay, extending out into the high road. The defendants, under the authority of an Act of Parliament, giving rights to compensation under the Lands Clauses Act, made an excavation under the highway, no part of which touched the land of the claimant, but the immediate effect of which, as it cut through the bed of gravel and the bed of clay on which it rested, was to divert the springs and dry up the lake; and it was held, *per totam Curiam*, that the case came within the principle of the decision in *Chasemore* v. *Richards*, 7 Ho. of L. Cas. 346, and that therefore there would be no right of action had the act been that of an adjoining proprietor, and that there was no right to compensation under sect. 69 of the Lands Clauses Act.

The case was considered by the whole Court to come within the principle of *Chasemore* v. *Richards*, and consequently, if the act complained of were that of an adjoining proprietor, no action could be sustained for the damage done. It was therefore clear that if the claim to compensation in this case arose under the general compensation clause of the Lands Clauses Act, sect. 69, it must fail. Cockburn, L.C.J., however, was of opinion—differing from the other members of the court—that under the peculiar provisions of the statute, the claim to compensation in respect to the right to water stands on a different footing, and that sect. 50 gave the claimant a right to the compensation to which he would not have been entitled under sect. 69.

SPRING ASSIZES.

HOME CIRCUIT.

KINGSTON.

March 27.—The commission was opened in this town to-day by Mr. Serjeant GAZELEE. There were sixty-nine causes entered for trial, sixteen of which were marked for special juries.

NORFOLK CIRCUIT.

NORWICH.

March 28.—The commission was opened in this city to-day. There were seven causes entered for trial, two of which were marked for special juries.

OXFORD CIRCUIT.

HEREFORD.

(Before Mr. Baron CHANNELL.)

March 28.—Luke Lock Packwood was indicted for bigamy, in intermarrying with Theodosia Williams, his wife Sophia being at the time alive.

No evidence was offered of the prisoner's cohabitation with his first wife during the seven years preceding his second marriage, nor of his knowledge of her existence during that period, and the case of *The Queen* v. *Briggs*, 1 Dearsley & Bell's Criminal Cases, 98, was cited by the counsel for the prisoner.

The learned JUDGE observed that the question was an important one, but that he was of opinion that the duty of fur-

nishing the requisite evidence for the conviction of a prisoner devolved upon the prosecution; and that the accused, unless he chose to do so, was not bound to take any steps for the manifestation of his innocence. He should, therefore, decline to leave to the jury the question whether, before his second marriage, the prisoner had made reasonable inquiries as to the existence or non-existence of his first wife.

The jury, under the direction of his Lordship, acquitted the prisoner.

WESTERN CIRCUIT.

DEVIZES.

March 27.—The commission was opened in this town to-day by Mr. M. SMITH, Q.C. There were seven causes entered for trial.

BANKRUPTCY LAW.

COURT OF BANKRUPTCY.

(Before Mr. Commissioner GOULBURN.)

March 30.—*Re Braun and Kortoske.*—Messrs. Baggalay, Chadwick, and Lowry, the trade assignees in this case, being present, in compliance with a request,

His HONOUR said he had sent for them in consequence of a communication which he had received from the Lord Chancellor. His Lordship had made very minute inquiries in reference to the costs incurred in bankruptcy matters, and had written to him on the subject of the expenses incurred in the prosecution of fraudulent bankrupts, the amount of the bill in this case (£1,600) having attracted his attention. The taxing-master of the Crown-office had reduced this claim £5 11s. 6d. only. The Lord Chancellor had recommended him to allow the moneys out of pocket, and that would leave the remaining portion of the bill to be discussed—whether the charges were fair and reasonable. The assignees were men of high position and character, and he was sure he should have their co-operation. He proposed that Mr. Reed, solicitor, be appointed on behalf of the creditors, to attend the taxation.

Mr. *Baggalay* said he believed the solicitor in the case had expended £1,200 out of pocket, and that the bill was a fair one.

The COMMISSIONER.—The question is, whether all this work should have been done.

Mr. *Baggalay.*—The indictment was drawn under the direction of Mr. Serjeant Ballantine.

Mr. *Lowry* said the assignees felt that they would be wanting in their duty to the commercial world, as well as to themselves and the large body of creditors, if they had not instituted the prosecution. A great amount of labour had been involved. The bankrupts retained no less than four able counsel, and the assignees were compelled to devote a large sum to the employment of counsel of equal ability.

The COMMISSIONER said these remarks were very favourable to the solicitor engaged in the case.

Mr. *Lowry.*—The assignees had no other motive than to prevent the recurrence of such nefarious proceedings.

The matter then dropped.

POLICE COURTS.

SOUTHWARK.

March 28.—Mr. George Smith, late secretary of the North London Branch of the Amalgamated Society of Engineers, was summoned before Mr. Combe for unlawfully detaining the contributors' book, cash-book, and check-book, belonging to the society.

Mr. *Binns* appeared for the society and stated that the defendant had been secretary to the society for some time, and in that capacity had the custody of all the books and papers. He gave notice to cease in July last, and another was appointed. When the old books were required from him he made several evasive answers, and at last he said he had destroyed them. Now he (Mr. Binns) being instructed by a powerful society, whose income was more than £30,000 a year, wished to show to the public and the working classes that the defendant had committed an offence for which he was liable to severe punishment.

Evidence having been given to prove these facts,

Mr. COMBE asked whether they could show that the defendant had the books now.

Mr. *Binns* replied that they could not, but the defendant had acknowledged that he had destroyed them. It was of great importance to the society that the books should be forthcoming, as they could not tell what total was due from the members.

Mr. COMBE said that he could not interfere, as six months had been allowed to elapse. If the society had any claim against the defendant they must pursue another course. The summons was consequently dismissed.

BOW STREET.

March 30.—William Trotman, a clerk, in the employ of Messrs. Edwards & Co., of Delahay-street, solicitors, was brought up upon a charge of stealing a quantity of jewellery, &c., to the value of about £80., the property of Mr. Francis Edwards, of Eaton-place, the senior partner in the firm.

It appeared that the prisoner, a youth of about 19 years of age, was principally employed in copying Mr. Edwards's letters. A few weeks back Mr. Edwards, on his return to town from his country residence at Slough, in Berkshire, took from his travelling case a quantity of jewellery and other articles, which he placed partly in a despatch box, and partly in a pigeon hole, both being locked. The travelling case was sent to a locksmith for repairs to the lock, and on the case being returned after repairs, Mr. Edwards proceeded to replace the jewellery in the case. He then found that the whole of the property in question had been abstracted. He remembered that on one occasion, a few days before, he had by mistake left his keys behind him, and, on his return, had found them, not on the table where he had left them, but in the despatch box. Upon inquiry he learned from another clerk, a boy, that the prisoner had been in the habit of using his cigars. This trifling act of dishonesty drew suspicion on the prisoner, and on inquiry, it was found that he had pledged at various pawnbrokers the larger portion of the property. The prisoner, when apprehended, acknowledged that he had stolen and pledged the property.

The prisoner, who admitted his guilt, was committed.

APPOINTMENTS.

Mr. WILLIAM CLARKE, 18, Kensington-park-gardens, Notting-hill, and 29, Coleman-street, London, has been appointed a London Commissioner to administer oaths in the High Court of Chancery.

Mr. GEORGE LITTLEWOOD COWLEY, Nottingham, has been appointed a Commissioner to administer oaths in the High Court of Chancery in England.

Mr. THOMAS HENRY GIDDY has been appointed Master of the Supreme Court of British Kaffraria.

GENERAL CORRESPONDENCE.

OATHS AND AFFIRMATIONS.

In your editorial remarks on Sir John Trelawny's Affirmation Bill, in your number of the 14th inst., you state that "as the law stands at present, any person who is not a Quaker or Moravian, and who is not prepared to admit the necessary religious sanction of an oath . . . cannot be a witness in any cause." Permit me, in the interests of liberty of conscience, to point out that by the 20th section of the Common Law Procedure Act, 1854, if any person called as a witness "shall refuse or be unwilling, from alleged conscientious motives, to be sworn, it shall be lawful for the court or judge, or other presiding officer, or person qualified to take affidavits or depositions, upon being satisfied of the sincerity of such objection, to permit such person, instead of being sworn, to make his or her solemn affirmation or declaration," in the form prescribed by the Act. By sect. 103 of the same Act the operation of sect. 20 is extended to "every court of civil judicature in England and Ireland."

A QUAKER ATTORNEY.

March 27.

LAW EXAMINATIONS.

A letter appears in your journal of to-day upon the subject of the law examination papers. In that letter, a correspondent, signing himself "A.," condemns *in toto* the publication of legal questions. I cannot, however, see that his reasons for holding such an unusual opinion are by any means conclusive. I, for one, most certainly do not think his statements are by any means logical. I cannot perceive how the publication of the papers used at the examination of articled clerks necessitates cramming and neglect of legal reading, or, on the contrary, the non-publication of the same *prevent* cramming or neglect

of legal reading. For my part, I believe that the publication of the examination papers would do an immense amount of good to law students. By possessing these papers they are able to have a general idea of what the examination consists, and by referring to different works for the answers to the questions, they would learn more than by wading through a dozen law books.

Army and university examination papers are published; why should the legal profession be debarred a similar privilege?

I cannot but believe the benefit derived by the publication of law questions would greatly predominate over the evil which it is supposed would arise from the adoption of such a course by the Council of the Incorporated Law Society. W.

March 28.

Writs Prohibition Bill.

A few weeks since, under the signature of "A Country Lawyer," I wrote a letter to the *Solicitors' Journal* on this subject. The bill originally introduced by Mr. Bouverie appeared to me likely to effect a desirable alteration in the law. Not so, the bill as amended.

It is now proposed that where a debt amounts to 40s. a plaintiff may, at his option, issue an ordinary summons or a special one, with a view to obtaining judgment by default. One objection to this is, that it would do away with simplicity and uniformity of practice, and tend to introduce great confusion into the county courts. Another and a stronger objection is, that in cases for 40s., and even much larger amounts, the defendants are generally poor and illiterate, and that such a person would not understand the process. He would merely look to see the sum claimed, and the return day of the summons. If he meant to defend or ask for time he would attend on that day, but not having given notice of his intention to do so the case would not be entered for trial. From its not being called on he would naturally suppose that the plaintiff had withdrawn it, and would think no more about the matter until a month afterwards, when to his surprise a bailiff might appear at his house with an execution.

Even if a defendant did read the summons through, it is not likely that he would know what was meant by so many *clear* days. After the expiration of the time fixed for giving notice numbers of defendants would call at the Registrar's office disputing the debts. Besides this, most of them transact their county court business through the agency of their wives, and they, even if they called in good time, could not sign the notices for their husbands.

At present a judgment by default can be obtained when the debt is over £20. If a change is to be made, either let it be universal, however small the amount (because then after a time it would become generally known amongst the poor), or let the standard be considerably higher than 40s., say £10, or *at least £5*. James R. Pearless.

March 31.

Composition Deeds in Bankruptcy.

As you ask the attention of your readers on the following point in your number of the 21st of March, I hope you will not consider me forward in addressing to you some remarks upon it.

The question is, whether a debtor who has obtained the registration, under the 198th section of the Act of 1861, of a deed valid under the 192nd, is, or not, by such registration, protected from having a judgment pronounced and entered up against him by a creditor who has not assented to the deed?

The decision of Mr. Nichols, judge of the county court at Birmingham, seems to be in the negative, and to proceed on the ground that the registration does no more than protect the debtor's person and property, but is no bar to an action.

Now, there can be but little doubt, on examining the Act of Parliament in question, and the Act of 1849, with the decisions upon them, that the ground on which his Honour went is perfectly sound. "A protection in bankruptcy," means nothing more than protection from process of execution, and is certainly no bar to a proceeding merely to establish a right, unless such proceeding requires process technically speaking. This was decided, under the Act of 1849, in *Ex parte Walker*, 6 De G. M. & G. 752; *Ex parte Dales*, 2 De G. & J. 206; *Fluester* v. *M'Lennan*, 29 L. J. C. P. 237, 6 Jur. N. S. 1375; and under the analogous Irish statute, *Re Dobson*, 8 Ir. Ch. 388; and in several other cases. There is also a case lately, in which on a *ca. sa.* being issued against a debtor who had received a certificate of registration, no question being raised as to the validity of the deed under the 192nd section, yet the commissioner, governing himself by the 112th and 113th sections of the Act of 1849, which define a protection in bankruptcy in the only way it is defined, held that the jurisdiction of the Court of Bankruptcy to order a debtor's discharge was strictly confined to the cases governed by the 112th section, and remitted the debtor to apply for his discharge to the Court which had issued the writ for his arrest, or to apply for a *habeas corpus* where and as he might be advised. The debtor thereupon applied to the Court of Exchequer, which ordered his discharge from custody, but expressed an opinion that the commissioner was right in refusing the jurisdiction. (*Penhall* v. *Littlejohn*, Ex., 20th January, 1863). This case goes far to show that the jurisdiction in the case of a deed registered is limited at least as strictly as in the case of a protecting order in bankruptcy, and that the certificate of registration has, at least, no larger efficacy than such a protecting order.

So far, then, it seems, the judge was perfectly right, but the ultimate question will turn on the form of the deed itself. If the deed contains a release of the debts, or a covenant not to sue, a creditor not assenting is to be bound in all respects as if he were an assenting creditor, and had executed the deed; and therefore, though the certificate of registration would not be a bar to the action, *per se*, the deed would, it is probable, in such case, be so. If the deed contain no provision of the kind, there could be no discharge of the debtor until an order of discharge be granted by the Court, which it would seem the judge is right in considering might be granted under the 197th section. See the analogous process provided, by sect. 110.

As I am on the subject I may also answer so far as I can a question asked by one of your correspondents about the case of *Woods* v. *Foote*, 11 W. R. 383.

The case no doubt seems to decide that an unreasonable provision will vitiate a deed otherwise good under the 192nd section, and if that were really decided by it, I should agree in your correspondent's strictures that such a ruling seems unwarranted by the Act of Parliament, but though the fact that the conditions of the deed were unfair no doubt weighed with the Court in inducing it to be more strict in its construction of the deed in question, yet it appears that upon that construction the deed was not valid within the 192nd section. It purported to be only for the benefit of those who had executed, and the plaintiff in the case had not; it contained a covenant on the part of the debtor to pay a composition, and give notes for future compositions to the creditors only whose seals were annexed, and the plaintiff had never sealed. On this ground the decision is quite consistent with all the recent decisions on the new Act, as well as with those on the Act of 1849 (see *Re Rawlings*, 11 W. R. 157; *Ex parte Morgan*, 11 W. R. 316; *Dewhurst* v. *Kershaw*, 11 W. R. 315; and *Walter* v. *Adcock*, 10 W. R. 542), and that this is the true ground of the decision is shown by the interlocutory remarks of the judges Williams, Wightman, Blackburn, and Crompton. William Downes Griffith.

56, Chancery-lane, April 1.

PARLIAMENT AND LEGISLATION.

HOUSE OF COMMONS.

Civil Service Estimates.

The following votes are intended to be taken on account of Civil Services, for the year ending 31st of March, 1864:—

	Required on account for 1863-4.	Voted for 1862-3.
England.	£	£
Law Charges, England	10,000	30,510
Criminal Prosecutions, &c.	70,000	167,678
Police, Counties and Boroughs, Great Britain	20,000	228,475
Queen's Bench, Crown Office, Expenses	1,000	3,098
Admiralty Court Registry	3,000	11,540
Insolvent Debtors' Court	2,000	5,501
Probate Court	30,000	78,330
County Courts	50,000	165,000
Police Courts (Metropolis)	6,000	21,430
Metropolitan Police	40,000	140,443
Divorce Court Compensations	1,000	3,675
Bankruptcy Court Compensations	5,000	24,237
Scotland.		
Lord Advocate and Solicitor-General, Salaries	1,000	3,342
Court of Session	5,000	18,200

	Required on Account for 1863-4. £	Voted for 1862-3. £
Court of Justiciary	4,000	11,076
Prosecutions under the Lord Advocate	2,000	5,000
Procurators-Fiscal, Salaries	7,000	23,475
Sheriff-Clerks	4,000	14,330
Register House, Edinburgh, Salaries and Expenses of sundry Departments	5,000	15,941
Ireland.		
Law Charges and Criminal Prosecutions	20,000	61,134
Court of Chancery	3,000	5,536
Courts of Queen's Bench, Common Pleas, and Exchequer	10,000	19,052
Registrars to the Judges, and Clerk of the Court of Errors	5,000	5,932
Manor Courts Compensations	1,000	2,000
Registry of Judgments	1,000	2,314
Court of Bankruptcy and Insolvency	2,000	6,893
Court of Probate	5,000	10,330
Landed Estates Court	6,000	11,472
Dublin Metropolitan Police and Police Justices	20,000	50,600
Constabulary of Ireland	200,000	777,368
Four Courts Marshalsea Prison	1,000	2,717

Friday, March 27.

CONCENTRATION OF THE COURTS OF JUSTICE.

Mr. A. MILLS asked the Secretary of State for the Home Department whether it was the intention of her Majesty's Government to introduce, during the present session, any measure for enabling the Commissioners of Works and Public Buildings to acquire a site for the erection and concentration of courts of justice.

Sir G. GREY replied that it was not the intention of Government to introduce a bill for that purpose; but the subject was under their consideration. At a later period of the session he would probably be able to give a more definite answer to the question.

Pending Measures of Legislation.

A BILL INTITULED AN ACT FOR THE PROTECTION OF CERTAIN GARDEN OR ORNAMENTAL GROUNDS IN CITIES AND BOROUGHS.

The following bill has been brought to the House of Commons from the House of Lords:—

[Note.—The clause and words printed in *italics* are proposed to be inserted in committee.]

Whereas it is expedient to make provision for the better protection and charge of enclosed garden or ornamental grounds which have been set apart for the use of the inhabitants of any square, crescent, circus, street, or place surrounding or adjoining such gardens or grounds in any city or borough; be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Where in any city or borough any enclosed garden or ornamental ground has been set apart in any square, crescent, circus, street, or place, for the use or enjoyment of the inhabitants thereof, and where the trustees, commissioners, or other body appointed for the care of the same have neglected to keep it in proper order, or where such garden or ground has not been vested in or placed under the management of any trustees, commissioners, or other body for the care of the same, and from the want of such care, or from any other cause, has been neglected, the Metropolitan Board of Works, where the same is in any place under their jurisdiction, except the City of London (where the provisions of this Act shall be carried into effect by the corporation of the said City), and the corporate authorities in any other city or borough, shall take charge of the same, putting up a notice or notices to that effect, in such garden or ornamental ground, and if after due enquiry the person entitled to any estate of freehold in the same cannot be found, or if it shall be vested in any person by whom it is held, subject to any condition or reservation for keeping the same as and for a garden or pleasure-ground, or that the same shall not be built upon, but not otherwise, shall cause any buildings or other encroachment made therein within the period of twenty years before the passing of this Act to be removed, and (if requested by a majority of two-thirds of the owners and of the occupiers of the houses surrounding the same) shall vest such garden or ornamental ground in a committee consisting of not more than nine nor fewer than three of the rated inhabitants of such houses to be chosen annually by such inhabitants; *and the vestry or board of any and every parish or district within which the same or any part thereof is situate shall from time to time cause to be raised the sums required by such committee for defraying the expenses of the maintenance and management of such enclosed garden or ornamental ground, or of such part thereof as is situate within their parish or district, by an addition to the general rate to be assessed on the occupiers of such houses;* or if the said owners and occupiers shall not agree as aforesaid to undertake the charge of such garden or ornamental ground, the Metropolitan Board of Works or corporate authority aforesaid shall, within six months after the notice hereinbefore mentioned shall have been put up within the same, or within such further time as the said board or authority may think it expedient to allow for such agreement to be come to, vest the same in such vestries or boards, who shall thenceforth take charge of *and maintain* the same as an open place or street in such manner as shall appear to them most advantageous to the public, subject to the approval of the Metropolitan Board of Works or corporate authority, as the case may require; saving and always reserving to every person and persons, his and their heirs, executors, administrators, and assigns, all such estate, right, title, and interest as he, she, or they would or ought to have had and enjoyed of, in, to, from, or out of the gardens and grounds aforesaid in case this Act had not passed.

2. And whereas the public are greatly interested in the maintenance of such gardens and grounds as open spaces, and it is expedient that the same should be carefully protected from undue encroachment, where any right to require that any garden or ornamental ground as aforesaid be kept and maintained as such, or that the same shall not be built upon, shall belong to any person in right of any house or other property, and he shall by notice in writing signed by him addressed to the Metropolitan Board of Works where the same is in any place under their jurisdiction, except the City of London, where the same shall be addressed to the Corporation of the said City, or to the corporate authorities in any other city or borough, requesting the said Metropolitan Board of Works or corporate authority to protect the right before mentioned, the said Metropolitan Board of Works or corporate authority, after due inquiry, may, if they shall think fit, accede to such request, and then and thereupon the right of such person to require that such garden or ornamental ground to be maintained as such, or that the same shall not be built upon, shall thenceforth be vested in such Metropolitan Board of Works or corporate authority, who shall be fully empowered, for and in their own name, to exercise all the rights, powers, and privileges in relation thereto, and take such legal proceedings for asserting, defending, and protecting the same as the said person might have exercised or taken.

Any charge incurred by the Metropolitan Board of Works in the execution of this Act shall be deemed to be expenses of the said Board for payment whereof provision is made by the Act for the better local management of the metropolis; and the expenses incurred by any corporate authority shall be deemed to be expenses necessarily incurred by them in carrying into execution within and for their city or borough the Act intituled "An Act to provide for the regulation of municipal corporations in England and Wales," and any other Act amending the same.

3. Power to make bye-laws, &c.

4. Provides penalty for injuring garden.

5. Provides that certain provisions of 18 & 19 Vict. c. 120, to be incorporated with this Act, and to apply to penalties, &c., imposed thereby, &c.

A BILL FOR THE REMUNERATION OF JURORS IN CERTAIN CASES.

The following bill has been brought into the House of Commons by Mr. Ayrton, and Sir F. Kelly:—

Whereas it is expedient to remunerate jurors for their attendance to try issues respecting matters which have not arisen in the county from which such jurors are summoned: be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and commons, in this present Parliament assembled, and by the authority of the same as follows:

1. Where a jury shall have been sworn to try any issue before a court or judge, and it shall appear to the court or judge that the cause of action or suit in such issue did not arise within the county from which such jury has been summoned, t shall be lawful for the court or judge to direct the person by

whom or at whose instance such issue shall have been entered or brought on for trial in such county, to pay to each of the jurors, in open court, before the jury are discharged, the sum of 7s. 6d., and the like sum of 7s. 6d. more for each day after the first during which the trial may continue; and any person failing to make such payment shall be deemed guilty of contempt of court.

2. The party paying such jury shall not have any further or other allowance for the same upon taxation of costs than he would have been entitled unto before the passing of this Act, unless the court or judge shall, at or immediately after the trial of the issue, determine that the same could be more conveniently tried by such jury than by a jury of the county where the matters in question arose, unless such issue shall have been so tried by consent of both parties.

3. Every direction and determination of a court or judge under this Act shall be final and conclusive.

A Bill to give further Facilities to the Holders of the Public Stocks.

The following bill has been brought into the House of Commons by the Chancellor of the Exchequer.

It recites that it is expedient to give further facilities to the holders of the public stocks in respect of the transfer thereof, and the receipt of the dividends thereon; and proposes to enact as follows:

1. This Act may be cited for all purposes as the "Stock Certificate Act, 1863."

2. "The Bank" shall mean "the governor and company of the Bank of England."

"The Treasury" shall mean "the Commissioners of Her Majesty's Treasury, or any two of them:"

"The Public Stocks" shall mean any stocks forming part of the National Debt, and transferable in the books of the Bank, and "Share in the Public Stocks" shall include any part of a share:

"Person" shall include corporation.

3. With the exception and subject to the conditions hereinafter mentioned, every person, inscribed in the books of the bank as proprietor of a share in the public stocks, may obtain a certificate or certificates of title to the said share, or to any part thereof, having annexed coupons entitling the bearer to the dividends payable in respect of that share or part of a share.

4. No trustee of any share in the said stocks shall apply for or hold a certificate of title to that share unless he is authorised so to do by the terms of his trust; and any contravention of this section by a trustee shall be deemed to be a breach of trust, and be punishable accordingly; and notice of the provisions of this section shall be printed on every certificate of title that may be issued; nevertheless this section shall not impose on the bank any obligation to inquire whether a person applying for a certificate of title under this Act is or not a trustee, nor subject them to any liability in the event of their granting a certificate of title to a trustee, nor invalidate any certificate of title if granted.

5. No certificate shall be granted in respect of any sum of stock not being £50, or a multiple of £50, or in respect of any larger amount than £1,000:

The treasury may by warrant declare that any one or more of the public stocks specified in the warrant shall be subject to the provisions of this Act; but until that declaration is made, stock certificates shall be issued only in respect of the Three per centum consolidated annuities and the new Three per centum annuities:

The coupons annexed to a stock certificate shall comprise the dividends payable in respect of the stock described in the certificate for a period of not less than five years, commencing from the date of the certificate. At the expiration of that period fresh coupons shall be issued for a further period of not less than five years, and so for successive periods of not less than five years during the continuance in force of the stock certificate; but the Bank may, if they think fit, in lieu of issuing fresh coupons in respect of a certificate, give in exchange a fresh certificate with coupons attached thereto:

Coupons shall be payable at the chief establishment of the bank at the expiration of three clear days from the day of presentation, and at any branch establishment of the Bank, situate beyond the limits of the metropolis, at the expiration of five clear days from the day of presentation:

The payment to the bearer of any coupon of the amount expressed therein shall be a full discharge to the Bank of all liability in respect of that coupon and the dividend represented thereby:

If any stock certificate or coupon issued under this Act is lost, or destroyed, the Bank shall grant a new certificate or coupon, on receiving indemnity to their satisfaction against the claims of all persons deriving title under the certificate or coupon so lost or destroyed:

No notice of any trust, in respect of any stock certificate or coupon issued under this Act shall be receivable by the Bank.

6. A stock certificate, unless a name is inscribed therein, as hereinafter provided, shall entitle the bearer to the stock therein described, and shall be transferable by delivery:

The bearer of a stock certificate may convert the same into a nominal certificate by inserting therein, in manner prescribed by any regulation made in pursuance of this Act, the name, address, and quality of some person. A stock certificate when it becomes nominal shall not be transferable, and the person named therein (hereinafter called the nominee), or some person deriving title from him by devolution in law as hereinafter mentioned, shall alone be recognised by the Bank as entitled to the stock described in the certificate:

Upon the death of the nominee in a nominal certificate his personal representative, upon his bankruptcy, his assignees, and upon the marriage of any female nominee her husband, shall alone be recognised by the Bank as entitled to the stock described in the certificate, and shall be deemed respectively to be a nominee or nominees in that certificate:

The death or bankruptcy of any nominee in a nominal certificate, or the marriage of any female nominee, and the loss or destruction of any certificate or coupon, shall be proved in such manner as may from time to time be directed by the Bank, with the sanction of the Treasury.

7. The nominee in a nominal stock certificate shall not be entitled to have the same renewed as nominal, but he shall, on delivery up of his certificate, and of all unpaid coupons belonging thereto, and on compliance with any regulation made in pursuance of this Act, be entitled to receive in exchange a stock certificate to bearer:

The nominee in a nominal stock certificate, and the bearer of a stock certificate to bearer, may, on the like delivery, and on compliance with any regulation made in pursuance of this Act, require to be registered in the books of the Bank as a holder of the stock described in the certificates under which they respectively derive title, and thereupon the stock shall be re-entered in the books kept by the Bank for the entry of transferable stock, and become transferable, and the dividends payable as if no certificate had been issued in respect of such stock.

8. Relates to fees in respect of dealings with stock under this Act.

9. Provides for remuneration to the Bank.

10. Prescribes general regulations with respect to certificates of title to stock, &c.

11. Income tax to be deducted from coupons.

12. Relates to unclaimed dividends on coupons.

13. When any certificate of title issued under this Act in respect of any share in the public stocks is outstanding, the stock represented thereby shall cease to be transferable in the books of the bank:

Save in so far as relates to the mode of transfer and payment of dividends thereon, any stock described in a stock certificate issued under this Act shall be deemed to be charged on the same securities, and to be subject to the same powers of redemption, and to the same incidents in all respects, including the remuneration payable to the Bank, as if it had continued registered in the books of the Bank as stock transferable therein:

Any stock described in a stock certificate in respect of which no coupons have been presented for payment for a period of ten years may in all respects be dealt with as if it were stock upon which no dividends had been demanded for a period of ten years, and be transferred accordingly to the Commissioners for the Reduction of the National Debt, and shall be subject to the rights of the parties proving themselves entitled to such stock in pursuance of the Act passed in the fifty-sixth year of the reign of King George the Third, chapter sixty; and the provisions of that Act and of all other Acts relating to stock transferred to the aforesaid commissioners shall apply to stock in respect of which certificates shall have been issued in pursuance of this Act.

14. Prescribes punishment for forgery of certificates and coupons.

15. Prescribes punishment for personating proprietor of stock, &c.

16. Prescribes punishment for engraving certificate, &c.

Schedule of Fees.

On the issue of a stock certificate, a fee not exceeding 5s. on every £100 of stock included in the certificate, and a proportional sum for any less sum.

If the applicant is the registered holder of an amount of stock divisible into several sums of £50 or multiples of £50, he may require such sums of £50 or such multiples of £50 to be distributed amongst different certificates, as he thinks fit; subject to this proviso, that if the number of certificates required by him exceed the proportion of £5 to a £1,000 he shall, in respect of each certificate constituting that excess, pay a sum of 6d. in addition to the per-centage fee.

On the change of a nominal certificate for a certificate to bearer, or on the registration in the books of the bank of the stock included in a nominal certificate, there shall be charged a fee not exceeding *one half* the fee that would be chargeable on the issue of a new certificate to bearer.

On the registration in the books of the Bank of the stock included in a stock certificate to bearer there shall be charged a fee not exceeding 5s.

PROVINCES.

AYLESBURY.—At the petty sessions at Aylesbury, on the 28th ult., George Hurst and Peter Baldwin were charged, under the Poaching Prevention Act, on the information of Police-constable Jabez Webb, that he, "having good cause to suspect the defendants were coming from land where they had been unlawfully in search of game—to wit, rabbits—searched them and found on them certain game—to wit, rabbits—and guns used for the purpose of taking game." The defendant Hurst did not appear. Baldwin was defended by Mr. Shepherd, solicitor, of Luton. The policeman stated that on the night of the 6th of March, about half-past one o'clock, he was going along a foot-path leading from Chequers-house (the residence of Lady Frankland Russell) towards the parish of Monks Risborough, and saw the two defendants run away from behind a clump of beechwood about eighty yards from the footpath. While pursuing them he believed he saw something pass from Hurst to Baldwin. He pursued them and overtook them on the high road, and found on Baldwin two rabbits: each of them had a gun. Baldwin said the rabbits were shot on his own land. The defence rested on the fact that Baldwin's mother is the owner and occupier of four or five acres of land in the vicinity, which is managed by the defendant Baldwin and his brother. This land is from half to three-quarters of a mile from the spot where the defendants were first seen, on the other side of the road, and the defendants were going towards and not away from it. Witnesses were called for the defence to show that there were rabbits on Baldwin's land, but Mr. Willoughby Beauchamp, agent for the Hampden estate, deposed that he knew the locality well, that there were no rabbit-holes within a quarter of a mile, and if Baldwin were to wait there for a fortnight he would not see two rabbits. The Bench had before them a report of the decision in what is known as the Braintree case, in which Chief Justice Erle and the other judges laid down that it is not necessary in order to convict under this Act to have positive evidence of the defendant having been unlawfully on land for the purpose of taking game, provided the justices are satisfied, from all the circumstances, that the game was unlawfully obtained. Mr. Shepherd, for the defence, expressed a hope that the Bench would not be unduly biassed by that decision. In that case there was no reasonable possibility that the defendants could have come by the game honestly, and the Chief Justice said, "If the men had no land of their own, it would be puerile to suppose that they stumbled on the rabbits on the high road." But in this instance the defendant Baldwin had land over which he had a perfect right to shoot rabbits, and gave a reasonable account of how he became possessed of those found on him. The Rev. Mr. Partridge remarked that the strong point in the case was that the defendants were going towards and not from the land where they alleged the rabbits were shot. The Bench fined the defendants £2 each, with £1 costs.

HASTINGS.—An inquest of a most unusual character was held on the 27th ult., by Mr. N. P. Kell, the coroner for the rape of Hastings, and a jury, touching the finding and discovery of certain bars and pieces of gold in the parish of Mountfield, in the county of Sussex. Mr. H. R. Reynolds, Solicitor to the Treasury, with whom were two other solicitors, attended to watch the inquiry on the part of the Crown, and Mr. W. Savery appeared on behalf of two persons supposed to be concerned in the inquiry. The following are the facts as elucidated in the course of a lengthy investigation:—On the 12th of January last, William Butchers, a labourer, in the employ of Mr. Thomas Adams, a farmer of Mountfield, while ploughing, turned up, about a foot from the surface of the ground, what he took to be a quantity of old brass, connected by a series of links or bars, and extending about a yard in length. Each bar was about an inch and a half long, and an inch wide, and at each end of the chain was a sort of trumpet. Butchers, on weighing this metal, found it was a little over 11lbs., and he sold it as old brass to a man named Silas Thomas, for 3s. Thomas, in his turn, sold it to his brother-in-law, Stephen Willett, a cabdriver at Hastings, but who had at one time been a Californian gold-digger, and at once recognized the metal as solid gold. Shortly afterwards suspicion was excited, from the fact that both Willett and Thomas appeared to have suddenly come into possession of an unusually large amount of money; and, from statements that Willett himself made, the police were induced to institute inquiries in the matter. Willett was then taken into custody, and examined before the magistrates at the Battle Petty Sessions on Tuesday, the 24th of February, on the charge of having illegally received a quantity of gold, and refusing to account for its disposal. He was remanded till the following Saturday, and then discharged from custody, it appearing that the magistrates had no jurisdiction in the matter, the power of making such an investigation being vested, according to an old statute (4th Edward I.), in the coroner, and hence the present inquest. Meanwhile, before it was commenced, the lord of the manor (Mr. E. C. Egerton, M.P.), had communicated with her Majesty's Treasury, and they instructed Mr. Reynolds to investigate the mysterious affair. The jury, at the end of the inquiry, which lasted upwards of five hours, returned a verdict to the effect that certain pieces of old gold, to the weight of 11lb., or thereabouts, and of the value of upwards of £530, had been found in the field on the day named; that the owner or owners were not known; that the said pieces of gold, at the time of finding, and afterwards, were the property of the Queen, and that William Butchers, Silas Thomas, and Stephen Willett concealed the finding of the same from the Queen and the coroner. The purposes of the inquest having been served, it is understood that ulterior proceedings will be taken against the persons who have thus concealed the finding of this valuable treasure trove and appropriated it to their own use. The three bars of gold which have since been found have been examined by several antiquaries, and it is believed that they must have been in the field for nearly 2,000 years. Similar bars which were found in Wales are preserved in the British Museum, and it is supposed were ornaments worn by the ancient Celtic kings

IRELAND.

Bartholomew Lloyd, Esq., Q.C., has been sworn in before the Lord Chancellor, as Chairman of Quarter Sessions for the King's County.

COLONIAL TRIBUNALS & JURISPRUDENCE.

NEW ZEALAND.

In the Act for the regulation of publichouses in the province of Canterbury, New Zealand, there is a clause providing that if it is proved to the satisfaction of two justices that any person has become an habitual drunkard, and is injuring his health or wasting his substance by excessive drinking, the justices are to issue and send to every publichouse and publish in every newspaper a notice prohibiting all persons from supplying him with spiritnous or fermented liquors, except upon the certificate of medical practitioners that the liquor is required as a medicine. The penalty for their knowingly supplying him is fine or imprisonment. The notice continues in force for two years.

FOREIGN TRIBUNALS & JURISPRUDENCE.

FRANCE.

A respectable provincial newspaper, the *Journal de la Cote d'Or*, has recently been suppressed. The proprietor and manager of the newspaper, M. Noellat, in order to improve his property, divided it into a number of shares, and formed a company, retaining, however, the exclusive ownership of the

journal in his own hands. The authorities held this to be a violation of Art. 1 of the decree of February 17, 1852, which states that "the previous authorisation of the Government shall be required for any change that may take place in the *personnel* of the managers, editors, proprietors, or administrators, of a newspaper." And M. Noellat was prosecuted accordingly. He was acquitted by the Court of Dijon, before which the case was first brought, but the Public Prosecutor, acting under instructions from Paris, appealed, and the Court of Cassation quashed the decision of the Court of Dijon, and ordered a new trial before the Court of Lyons. It has just come off, and M. Noellat and his printer are sentenced to one month's imprisonment and 100f. fine, and moreover the "*Journal de la Cote d'Or* is ordered to cease to appear."

A French journal gives the report before a *justice de paix* of a claim made on an actor of one of the small theatres of the suburbs of Paris, for a certain number of kisses, and a certain amount of tender squeezing on the stage. We get to know exactly by this amusing incident of real life the cost of a theatrical kiss, according to the dramatic laws of the French stage. One M. Narcisse appears before a justice of the peace, and, addressing the judge, says—"Monsieur le Juge, I'm a dramatic actor. I play the parts of lovers in a theatre of the Banlieue. My parts oblige me to be extravagantly passionate, excited, and enthusiastic. I'm obliged occasionally to love women of all ages, of all conditions of life, actively and perseveringly, sometimes for a couple of hours together. Love-making may become laborious, Monsieur le Juge, and even repulsive and annoying, if one is obliged to make love. Well, sir, and will you believe it, all my fire, devotion, my artistic amorous skill, so unceasingly addressed to the pit, has got me into grief." Judge: "How so?" Narcisse: "Parblue! I gain only 100 francs a-month for running away with young ladies, making love to confirmed coquettes, and often seducing unsuspecting innocence, and they want to make me pay 150 francs for articles delivered." Judge: "Articles delivered; and pray what were they?" Narcisse: "Kisses (much laughter). 150 francs for one man to pay for such trifles! That is what M. Valsin demands of me for, in fact, kissing his wife on the stage whilst playing my *rôle*." Judge: "How is this?" Valsin: "It is a very simple affair. There are certain regulations which belong to all theatres on the subject in question. Art. 1 says, 'When an actor playing his *rôle* is called upon to kiss a lady, he shall only appear to do so.' Art. 2. 'Any actor who shall really kiss an actress without her previous formal consent, shall be fined five francs.' Art. 3. 'Pressing sincerely to the heart pays a fine of two francs fifty cents.' Now, Narcisse has vigorously embraced my wife ten times, and unmistakeably kissed her twenty-five times, for which I demand 150 francs." Narcisse: "The price is beyond all reason!" (laughter). Valsin: "I demand that sum, according to the usages of the dramatic law." Narcisse: "Come, let us compromise the matter; there are faults on both sides." Valsin: "Good!" Narcisse: "I stole twenty-five kisses?" Valsin: "Yes." Narcisse: "Well, then, I offer to return them!" Here the Court lost all its gravity, and the judge dismissed the case, referring the matter to a higher court of justice.

REVIEW.

A Handy Book on Property Law, in a series of letters. By Lord St. Leonards. Seventh Edition. Blackwood and Sons. 1863.

Except the portrait of the noble author of this first and foremost of handy-books, the 7th edition, which has made its appearance within the last few days, contains nothing new until we come towards the end of the work, when we have a characteristic letter on the Land Registry Office, of which Lord St Leonards appears by no means enamoured. He considers the Act more objectionable than any other measure on the same subject that was ever proposed to Parliament. He objects to it on the ground that it will directly or indirectly impose heavy and unnecessary expenses on owners of land. He stigmatizes the *ad valorem* duty upon registration as a covert and vexatious scheme of taxation. He reminds landowners that "all the costs of examinations, comparings, searches, fees to examiners, conveyancing counsel, &c.," are to be borne by them. Even after the title has been shown to be good and marketable, "the exact" description of the land to be registered, the statements of the persons entitled, and the charges affecting the lands, open the door to new expense and risk, even to the extent of appeals to the Court of Chancery from the decisions of the registrar. The following extract is worthy of attention, on account of the personal acquaintance and great practical experience of Lord St. Leonards with the subject of his remarks:—

There is nothing more difficult in very many cases, than to make out the identity of lands, and to reconcile an old description with their present state. Now, you must fully establish the identity of the lands with the parcels or descriptions contained in the title-deeds, and the registrar has power by such inquiries as he shall think fit, and, of course, at your expense, to ascertain the accuracy of the description, and the quantities and boundaries of the land, and except in the case of incorporeal hereditaments, a map or plan must be made and deposited as part of the description. These requisitions are somewhat alarming—old witnesses, surveyors, map makers, &c., will be required. The map is sure to be expensive in many cases. It was not doubted that a map, to render a general registry useful, would cost a million, and therefore the proposal for one was withdrawn; the scheme now is to supply as many maps as there are estates registered, at the expense of the individual landowners. The general order as to maps is a stringent one. An accurate map or plan of the property is to be deposited in the office when directed; it is to be made in such form, and on such scale, and in such manner, in all respects, as shall from time to time be directed, and shall contain the names of all the owners and occupiers of the lands bounding or immediately adjoining the property. The question of boundaries may involve you in litigation with your neighbours; for although no question might arise upon your boundaries in the usual course of things, yet if you claim an indefeasible title in the boundaries as you describe them, you may expect your neighbours to be alarmed and anxious about their rights, just as you yourself would be if your neighbour were the applicant. It would not be pleasant to find that he had, by the description of his boundary which you had neglected to verify, acquired a portion of your flower-garden or a slice of your park. A dispute about boundaries has often led to a protracted and expensive litigation. The framer of the Act felt this so strongly, that a clause provides, that if there shall be any disputed question of boundary between the applicant and any proprietor of adjoining land which shall not have been previously determined by any competent authority, it shall be competent for the parties, or either of them, to object in writing to the determination of such question by the registrar or by a judge of the Court of Chancery under the Act; and if any such objection shall be made, the registrar shall specify upon the record of title the existence of such disputed question of boundary, and that the registration is made subject thereto. This, therefore, establishes the question in dispute, and renders an action or suit unavoidable; but the Act leaves you to undertake this task at your leisure, after you have recovered from the anxiety and expense of the registration of your title and of your estate. If an estate be an extensive one, numerous objections by different owners of adjoining lands may be left for future adjudication. I inquired of a landowner who had sent in his claim in the second week of October, when his title was ready, how he got on. He told me that, three months afterwards, his solicitor informed him that he was engaged in correspondence, &c., with other persons, to prove certain technical things, which, in the ordinary investigation of title, would not be required, but he hoped in about a week to send in the evidence required, and a detailed description of the property in the required form. The next step would, he imagined, be the sending of an official surveyor to *perambulate* the property, and after that the advertisements, &c. This is not encouraging. Let us pause a moment over this case. The applicant is not far beyond the threshold of the court, for the advertisements are to come, and with them perhaps all the consequences which I have pointed out; and if no adverse claimant should appear, much still remains to be done and to be charged for, and the advertisements, *ad valorem* duty, besides other fees, have to be paid. The costs in this case *previously* to the advertisements—and no case has yet arrived at such a state of maturity as to authorise the advertisements directed by the Act—will amount to upwards of £130; and yet here was an estate, part of which had been purchased a few years ago, and the other part but a few months ago, and upon each purchase competent solicitors and counsel were employed, and the titles were thoroughly sifted; and in the result they were approved of by the registrar; but the repetition of expense, and no doubt an increase of it, can readily be understood when additional abstracts were called for, and copies made of them and of the former abstracts, at an expense of upwards of £25; whilst the fee of the counsel appointed by the registrar,

clerk's fee, and agent's charge of 13s. 4d. exceeded £20, and the costs of examining the abstracts by the solicitor *appointed by the Registrar*, and by the owner's solicitor attending with him, and of two other solicitors who produced some of the deeds, were not less than £27; and the costs of a plan and survey—the latter by an officer named by the registrar—would be about an equal sum. The other charges were, of course, for letters, attendances, searches, perusals, and such other items as all solicitors' bills exhibit, and include a journey to town by the country solicitor, to confer with the registrar on the course of proceeding. This is one consequence of a metropolitan registry. If in this particular case all should run smooth, the owner will, probably in about a twelvemonth from the time of entering his claim, at a considerable further outlay for advertisements, *ad valorem* and other dues and fees, solicitors' charges, &c. &c., obtain a declaration of title which, as I have shown to you, will leave the estate *in his hands* just as liable to be impeached by an adverse claimant as it was before he availed himself of the powers of the Act. The framers of the Act could not desire to have a more favourable opportunity of testing its powers. An estate surrounded by no competitors, with a good title recently examined, vested in an owner in fee free from incumbrances, is just the property which one should have supposed would pass through the court without impediment, and at a small expense. An extensive estate held under several titles, and frequently put in settlement, would, of course greatly add to the expense and labour of registration."

His Lordship ridicules the idea of advertising for persons to dispute your claim to ownership.

"It is," he says, "a public invitation to 'all and sundry' to come in and dispute your title. Accordingly any person may attend and show cause against the registration, or claim that the same should be subject to any conditions or reservations. The registrar is to decide on such objection or claim, or may refer the same to the judge of the Court of Chancery. If the registrar decide, either party may appeal from his decision to the said Court, so that once more you are in the Court of Chancery—inevitably if the registrar send you there, and probably if he himself decide. In either case you will be no longer contesting a point of law with an official of the court, but you will have a real, and it may be a prolonged and severe contest with an adversary who disputes your title. You may perhaps by this time think that it would have been better not to have disturbed the sleeping lion, but to have rested content with a title which, but for your own invitation, no one would have challenged. If you are defeated, you will of course no longer be entitled to claim registration. Your title, if even you do not lose your estate, will be, in the language of our early law-books, damned, and you will probably have to defend your title against an adverse claimant as best you may How often have our best-informed judges cautioned men against producing their title-deeds unless compelled to do so. In a case before Lord Kenyon, where a man upon a *subpœna duces tecum*, took his box of title-deeds into court, the learned judge desired him to sit down on his box, and allow no one to open it! Be not, however, cast down over much, for if you are aggrieved by an order made by a judge in chancery, you may appeal to the Court of Appeal in Chancery; nor need you stop there; for any order made by the Court of Appeal on such an appeal is made subject to reversal or modification by the House of Lords, in like manner as decrees made by the Court of Chancery. What can a man desire more? A claim to be registered seems the surest, whilst it is the readiest, mode of obtaining an early introduction into the Court of Chancery, and may even carry a man on to the House of Lords."

The whole of the letter relating to the Land Transfer Office is written with the same vehement animus as the extracts which we have given; but it nevertheless contains many unanswerable strictures and criticisms which we recommend to the perusal of our readers, although the work is not expressly designed for lawyers.

SOCIETIES AND INSTITUTIONS.

THE LEGAL AND GENERAL DISCUSSION SOCIETY.

The first quarterly meeting of this society was held on Wednesday evening, the 25th ult. Mr. B. H. Tromp in the chair.

The Honorary Secretary, Mr. F. K. Munton, read the first report, from which it appeared that the members now number forty-six, and that the average attendance at the meetings had been satisfactory. The discussions, which had been held once a fortnight during the past three months, had been upon the law affecting country attorneys and their London agents—the remedies for enforcing costs in a chancery suit against an insolvent railway company—sheriff law—the Land Registry Act—the Queen's speech on opening of Parliament—and as to the liability of trustees under a marriage settlement. The members had already begun to experience the benefits of the main objects of the society, it having afforded the means of introduction to several gentlemen who were previously unacquainted with each other, and by reason of such introduction the business which they have had to transact together had been much facilitated. Having regard to the comparatively short time that the society had been established, it might be said there could no longer be any question that the undertaking will be successful.

A resolution was passed that the members should dine together on the 29th of April, and a committee was appointed to superintend the arrangements.

PUBLIC COMPANIES.

MEETINGS.

VALE OF LLANGOLLEN RAILWAY.

At the half-yearly meeting of this company, held on the 26th ult., a dividend at the rate of 3 per cent. per annum was declared for the past half-year.

PROJECTED COMPANIES.

THE WESTMINSTER AND SOUTHWARK BANK (LIMITED).

Capital £1,000,000, in 10,000 shares of £100 each.

Solicitors—Messrs. Lepard & Gammon, 9 Cloak-lane, E.C.; Messrs. Walmisley & Co., 5, Victoria-street, Westminster Abbey, S.W.

This bank is established for providing increased banking facilities for the inhabitants of Southwark and Westminster, and the West of London.

THE BRITISH FLAX COMPANY (LIMITED).

Capital £100,000, in 10,000 shares of £10 each.

Solicitors.—Messrs. Tennant & Darley, 4, Raymond-buildings, Gray's-inn, W. C.

The object of this company is to purchase flax from the farmers, and to afford increased facilities for the preparation of the plant in the various stages through which it has to pass from the grower to the spinner, and thereby to extend the home growth of flax, so essentially connected with a valuable branch of our nation industry.

During the few weeks which have elapsed between the commencement of the session and the present recess several changes have occurred in the constitution of the House of Commons. Thus, Sir E. C. Dering has been returned for East Kent, in the room of Mr. W. Deedes, deceased; Mr. A. Seymour for Totnes, in the room of the Earl of Gifford, deceased; Mr. G. W. G. Leveson Gower for Reigate, in the room of the Hon. W. J. Monson, now a member of the House of Lords; Mr. F. S. Powell for Cambridge, in the room of Mr. A. Steuart, who accepted the office of Steward of her Majesty's manor of Hempholme; Mr. W. Ferrand for Devonport, in the room of Rear-Admiral Sir Michael Seymour, who accepted the office of Steward of her Majesty's Chiltern Hundreds; Lord George Manners for Cambridgeshire, in the room of Mr. E. Ball, who accepted the office of Steward of her Majesty's Chiltern Hundreds; Mr. W. H. P. Gore Langton, in the room of Mr. C. A. Moody, who accepted the office of Steward of her Majesty's manor of Northstead; the Hon. W. W. Addington, for Devizes, in the room of Captain J. N. Gladstone, deceased; Mr. J. A. Smith for Chichester, in the room of Mr. H. W. Freeland, who accepted the office of Steward of her Majesty's manor of Hempholme; Mr. J. D. Barbour for Lisburn, in the room of Mr. J. Richardson, who accepted the office of Steward of her Majesty's manor of Northstead; Colonel the Hon. H. B. Bernard for Bandon Bridge, in the room of Lieutenant-Colonel the Hon. W. S. Bernard, deceased; and the Marquis of Hartington has been re-elected, on his appointment as one of the Lords of the Admiralty. A vacancy is now pending at Thetford, in consequence of the Earl of Euston being called to the House of Lords on the death of his father, the Duke of Grafton. Eleven new members have thus entered the House of Commons within two months, and death has besides occasioned another vacancy.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

INCE—On March 31, at Pembroke Villas, St. John's-wood, the wife of Henry Bret Ince, Esq., of Lincoln's-inn, Barrister-at-Law, of a daughter.
WEST—On March 28, at 33, North Great George's-street, Dublin, the wife of Henry J. P. West, Esq., of a daughter.

MARRIAGES.

WAY—PALMER—On March 24, Frederick Walter, M.R.C.S., Portsea, son of the late Henry George Way, Esq., Solicitor, Portsmouth, to Ann Ives, daughter of Edmund Ives Palmer, Esq., Wade Court Manor, Warblington, Hants.

DEATHS.

BROOKSBANK—On March 27, in Tynemouth, aged 46, James Brooksbank, Esq., jun., Barrister-at-Law, Inner Temple, London.
FARRELL—On March 23, at Longford-terrace, Monkstown, Harriett, daughter of James Farrell, Esq., of Newlawn, in the county of Dublin, and sister of the late Richard Farrell, Esq., Q.C., Commissioner of the Insolvent Debtors' Court.
JERVIS—On March 26, Philip Vincent Jervis, Esq., youngest son of the late Right Hon. Sir John Jervis, Lord Chief Justice of the Common Pleas, of Fairhill, Tunbridge, Kent, in the 21st year of his age.
LOW—On March 24, Archibald Low, Solicitor, Portsea, aged 72.

LONDON GAZETTES.

Windings-up of Joint Stock Companies.

FRIDAY, March 27, 1863.

UNLIMITED IN CHANCERY.

North Wheal Providence Tin and Copper Mining Company (Limited).—Petition for winding-up, presented March 23, will be heard before V. C. Kindersley, on April 17. W. St. Aubyn, 38, Moorgate-street, Solicitor for the petitioner.
English Widows Fund and General Life Assurance Association.—V. C. Wood will proceed, on April 16 at 2, to settle the list of contributories of this Company.
Minima Organ Company (Limited).—Order to wind-up, March 18. V. C. Kindersley. Nethersole & Speechly, New-inn, Solicitors for the petitioners.

LIMITED IN BANKRUPTCY.

Cumberland Black Lead Mine Company (Limited).—Com. Fane has appointed April 15 at 12.30 to settle the list of contributories of this company.

TUESDAY, March 31, 1863.

LIMITED IN CHANCERY.

Llanharry Hematite Iron Ore Company (Limited).—Creditors are required, on or before April 28, to send their names and addresses, and the particulars of their debts or claims, and the names and addresses of their solicitors, to Mr. R. P. Harding, 5 Serle-st, Lincoln's-inn-fields, Official Liquidator of the Company.

LIMITED IN BANKRUPTCY.

Plumstead, Woolwich, and Charlton Consumers Pure Water Company (Limited) —Peremptory order for a call of five pounds per share on all contributories, to be paid on or before April 18, to G. J. Graham, Official Liquidator, 25, Coleman-st.

Creditors under 22 & 23 Vict. cap. 35.

Last Day of Claim.

FRIDAY, March 27, 1863.

Crawford, Wm, Island of St Christopher, West Indies, Merchant. May 15. Flux & Argles, Mincing-lane.
Jenkins, Chas, Sunderland-ter, Westbourne-pk, Gent. May 15. Flux & Argles, Mincing-lane.
Kelly, Maria Louisa, Croydon, Widow. April 16. Lydall, Southampton-bldgs, Chancery-lane.
Marson, Joseph, Cadeby, Leicester. May 10. Austen & De Gex, Raymond-bldgs, Grays-inn.
Northcott, Elizabeth, Wevagessey, Cornwall, Widow. May 15. Shilson & Co, St Austell.
Orfeur, Thos Artis, Yarmouth, Master Mariner. May 6. J. & H. Gregory, Lpool.
Roth, Wm, Charlwood-st, Pimlico, Gent. May 9. Thomas & Hollams, Mincing-lane.
Sandoz, Fredk, Kensington-pk-gardens, Esq. May 2. Bray & Co, Gt Russell-st, Bloomsbury.
Silcock, Simon Bonnett, Bagnigge-wells-rd, Middlx, Victualler. June 1. Boulton & Sons, Northampton-sq, Clerkenwell.
Smith, Sir John Jas, Down House, Dorset, Baronet. May 6. Farrer & Co, Lincoln's-inn-fields.
Vernon, Bowater Hy, York Chambers, St James's-st, Westminster, Captain. May 2. Burne, Carey-st.
Vickers, John, Upper Langwith, Derby, Tanner. April 25. Shacklock, Mansfield.

TUESDAY, March 31, 1863.

Carroll, Dame Catherine, Cavendish-sq, Widow. May 8. Walford, Bolton-st, Piccadilly.
Carteret, Right Hon. Mary Anne Baroness, Abbey, Cirencester, Widow. May 31. Farrer & Co, Lincoln's-inn-fields.
Costerton, John, Blandford-lodge, Teddington, Middlx, Gent. May 21. G. P. Robinson, and C. E. H. Costerton, Executors, Threadneedle-st.
Gunning, John, Rue de Colisee, Paris. May 31. Palmer & Co, Trafalgar-sq.
Hale, Wm, Goode-st, Tottenham-ct-rd, One of the Ushers of Her Majesty's Court of Exchequer. May 27. Child & Son, Cannon-st.
Henry, Edw, Guildford-st, Russell-sq, Merchant. April 30. Lindo & Sons, Moorgate-st.
Hughes, John, Sutton, near Macclesfield, Butcher. May 7. Parrott & Co, Macclesfield.
Ryder, Thos, Biddulph, Stafford, Yeoman. May 20. Reade, Congleton.
Smith, Jas, Repton, Derby, Gent. June 1. Shaw, Derby.
Walrond, John, Gt Ilford, Essex, Gent. May 1. Cox & Sons, Sise-lane.
Willcox, Brodie McGhie, Portman-sq, Esq., M.P. June 1. Browning, Hatton-ct, Threadneedle-st.
Williams, Sarah, Tynewydd, Montgomery, Spinster. May 15. Marshall, Oswestry.
Wilkinson, Geo, Congleton, Esq. April 30. Reade, Congleton.

Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, March 27, 1863.

Blackburn, Jas Watson, Cheapside, Hosier. April 29. Blackburn v. Harwood, V. C. Stuart.
Playford, Daniel, Gt Yarmouth, Gent. April 20. Horth v. Playford, M. R.
Wood, Thos, Tunbridge Wells, Yeoman. April 25. Stevenson v. Wood, M. R.

(*County Palatine of Lancaster.*)

Wignall, Hy, Preston, Tea Dealer. April 13. Registrar's Office, Preston.

TUESDAY, March 31, 1863.

Drevon, Chas Hy, Flower and Dean-st, Spitalfields, Dyer. April 24. Drevon v. Drevon, V. C. Kindersley.
Gibson, John, Windmill-st, Gravesend, Gent. April 21. Matthews v. Foulsham, V. C. Wood.
Hasluck, Saml, Hazeloak House, Ilford-rd, Essex, Gent. April 27. Hasluck v. Hasluck, V. C. Wood.
Hurlock, Philip Johnson, St Bartholomew's Hospital, Apothecary. April 29. Snell v. Hurlock, V. C. Kindersley.
Locock, Edw, Weston-Super-Mare, Builder. April 23. Phillips v. Locock, M.R.
Matthews, Jos, Saham-Toney, Norfolk, Farmer. April 27. Matthews v. Matthews, M.R.
Matthews, Rchd, Lydbury North, Salop, Farmer. May 1. Matthews v. Spencer, V. C. Stuart.
Matthey, Fredk, Kensington-garden-sq, Merchant. July 22. Matthey v. Matthey, M. R.
Novington, Edw, Harrietsham, Kent, Farmer. April 21. Johnson v. Norrington, V. C. Wood.
Ross, Alf David, Mile-st, Bermondsey, Publican. May 7. Ross v. Dean, V. C. Stuart.
Vesper, Thos, Wellington-pl, Commercial-rd, Middlx, Gent. April 22. Hitch v. Vesper, V. C. Kindersley.
Williams, Rowland, Carlton-rd, Kentish-town, Gent. May 1. Williams v. Cranch, V. C. Stuart.

Assignments for Benefit of Creditors.

FRIDAY, March 27, 1863.

Davies, Wm, Bristol, Woollen Merchant. Jan 24. Henderson, Bristol.
Dawson, Geo, Dewsbury, York, Joiner. Feb 28. Tennant & Rayner Dewsbury.

Deeds registered pursuant to Bankruptcy Act, 1861

FRIDAY, March 27, 1863.

Baker, Seth, Compton Dando, Somerset, Miller. Feb 26. Asst. Reg March 25.
Baker, Walter Hy, Meare, Somerset, in no business. Mar 16. Deed o Arrngmnt on change from bankruptcy. Reg March 25.
Bedford, Jacob, Portslade, Sussex, Miller. Feb 23. Asst. Reg Mar 24.
Bird, Geo, Greenwich, Draper. Mar 3. Asst. Reg Mar 24.
Buxton, Wm, Belper, Tailor. Feb 28. Comp. Reg Mar 25.
Castell, Hy, Portsmouth, Jeweller. Feb 28. Asst. Reg Mar 24.
Clyde, Rev. Jas Burdon, Bradworthy, Devon. Feb 28. Arrngmnt. Reg March 27.
Crawley, Young, & Young Crawley, jun, Hartford, Coach Builders. Feb 24. Asst. Reg March 24.
Dawson, Geo, Dewsbury, York, Joiner. Feb 28. Asst. Reg Mar 27.
Gould, Thos, Southsea, Hants, Victualler. Mar 17. Conv. Reg Mar 26.
Gunning, Hy, Bedminster, Bristol, Tailor. Mar 20. Conv. Reg Mar 26.
Hancock, Josiah, Coosebean, Truro, Miller. Feb 23. Conv. Reg Mar 23.
Hardy, Abraham, & Geo Hardy, Braintree, Essex, Farmers. Mar 23. Asst. Reg Mar 27.
Haynes, Daniel Chas, Whichford, Norwich, Shopkeeper. Feb 26. Conv. Reg Mar 24.
Heitzman, L., Coleford, Gloucester, Jeweller. Feb 25. Comp. Reg Mar 23.
Hercy, Chas Stanislaus, Badminton, Gloucester, Innkeeper. Mar 2. Conv. Reg March 23.
Howard, Hy, Clevedon, Somerset, Builder. Feb 23. Comp. Reg Mar 23.
Judkins, Chas Tiot, Ludgate-st, Sewing Machine Manufacturer. Feb 26. Arrngmnt. Reg Mar 25.
Knott, Wm, Branston, Lincoln, Cordwainer. Mar 20. Ass. Reg Mar 25.
Malkin, Mary Ann, Sandhurst-lodge, Queen's-rd West, Regents-park, Boarding-house Keeper. Mar 2. Comp. Reg Mar 23.
Mascord, Thos, Hornton-st, Kensington, Middlx, Ironmonger. Feb 28. Asst. Reg Mar 25.
Moore, Carter Wm Daking, Annesley House, Twickenham Common, Middlx, Clerk in Holy Orders. Feb 26. Conv. Reg Mar 26.
Potter, Wm, New Church-st West, Edgware-rd, Middlx, Tobacconist. Mar 24. Asst. Reg Mar 26.
Rophé, Aristide, Paris, Wine Merchant. Feb 28. Asst. Reg Mar 27.
Roundell, John, Tockwith, York, Butcher. Feb 26. Asst. Reg Mar 26.
Shanks, Wm, Barking, Essex, Smack Owner. Feb 28. Ass. Reg Mar 26.
Sharpe, Barling, Leigh, near Rochfort, Builder. Mar 6. Ass. Reg Mar 25.
Snelson, Hy Baddeley, Congleton, Grocer. Feb 25. Asst. Reg Mar 24.
Summersfield, Morris, & Israel Summersfield, Manch, Tailors. Mar 3 Asst. Reg March 26.
Swinton, John, Lincoln, Draper. Mar 2. Asst. Reg Mar 24.
Thompson, Geo, Halifax, Tea Dealer. Mar 2. Conv. Reg Mar 26.
Thompson, Hy, Belper, Draper. Mar 4. Asst. Reg Mar 26.
Washbourn, Rchd, Nailsworth, Gloucester, Printer. Feb 27. Conv. Reg March 27.
Westaway, Jas, Ashburton, Devon, Grocer. Feb 25. Conv. Reg Mar 25.
White, Geo, Birkenhead, Tailor. Feb 26. Asst. Reg Mar 26.

TUESDAY, March 31, 1863.

Barton, Rchd, Kingston-on-Hull, Merchant. Mar 3. Release. Reg Mar 30.
Belcham, Isaac, Fiaber-st, Barking, Baker. Mar 23. Comp. Reg Mar 28.
Brett, Hy, Wood-st, London, Warehouseman. Mar 10. Asst. Reg Mar 27
Caldicott, John, Foleshill, Warwick, Ribbon Manufacturer. Mar 5. Comp. Reg Mar 27.
Elkins, Peter Francis, Dudley, Attorney. Mar 28. Conv. Reg Mar 31.
Goodman, Soloman, Manch, Jeweller. Mar 16. Comp. Reg Mar 30.
Golding, Hy John, Tunbridge Wells, Tobacconist. Feb 28. Comp. Reg March 28.
Holgate, John, Teazer-mill, Waddington, York, Cotton Manufacturer. Mar 9. Conv. Reg Mar 29.

Holroyd, Thos, & Joseph Edward Norton, Laurence Pountney-hill, Metal Brokers. Mar 31. Asst. Reg Mar 31.
Lavender, John Nelson, Manch, Engraver. Mar 3. Asst. Reg Mar 28.
Marsh, Wm, Handsworth Woodhouse, York, Farmer. Mar 4. Asst. Reg March 31.
Peart, Jos Hickson, & Rchd Barton, Kingston-upon-Hull, Merchants. Mar 3. Asst. Reg Mar 30.
Peart, Jos Hickson, Kingston-on-Hull, Merchant. Mar 7. Ass. Reg Mar 30.
Peart, Jos H., Kingston-on-Hull, Merchant. Mar 3. Release. Reg Mar 30.
Poole, Chas, & Octavius Poole, Road-side, Mile-end-rd, Middlx, Furniture Dealers. Mar 10. Asst. Reg Mar 31.
Prosser, Fredk, Cardigan, Brewer. Mar 14. Conv. Reg Mar 28.
Randall, John Farr, Coleman-st, London, Attorney and Solicitor. Mar 18. Comp. Reg Mar 31.
Scholefield, Joseph, Warley, Halifax, Maltster. Mar 2. Asst. Reg Mar 30.
Sedgley, Fredk, Manch, Ironmonger. Mar 23. Comp. Reg Mar 30.
Sharp, Rbt Chapman, Hazel-grove, near Stockport, Silk Throwster. Mar 14. Asst. Reg Mar 27.
Thornber, Mark, Settle, York, Draper. Mar 26. Asst. Reg Mar 30.
Wade, Chas, Clarence-pl, Camberwell, Linen Draper. Mar 16. Comp. Reg March 30.
Wilkinson, Wm, Lpool, Corn Merchant. Mar 26. Asst. Reg Mar 28.
Youdale, Jas, Guildford, Draper. Mar 5. Asst. Reg Mar 30.

Bankrupts.

FRIDAY, Mar. 27, 1863.

To surrender in London.

Bartlett, Geo, Victoria-grove, Victoria-park, Middlx, out of business. Pet March 25. April 14 at 12. Terry, King-st, Cheapside.
Beesley, Nathaniel, High-st, Hoxton, Grocer. Pet March 23. April 8 at 1. Lewis & Lewis, Ely-pl, Holborn.
Burton, Rchd Whiting, Eccleston-st South, Pimlico, Auctioneer. Pet March 23 (for pau). April 13 at 1. Aldridge.
Chambers, Hy Herbert, Exeter-st, Chelsea, Grocer. Pet March 23. April 8 at 1. Clarke, Stanley-pl, Paddington-green.
Dickinson, Robt Cousens, North Audley-st, Oxford-st, of no business. Pet March 23 (for pau). April 16 at 11. Aldridge.
Flood, John, Poplar, Middlx, Baker. Pet March 24. April 16 at 12. Walker & Moogen, Southampton-st, Bloomsbury.
Flood, Wm, jun, Wenlock-st, Shepherdess-walk, City-rd, Law Clerk. Pet March 24. April 16 at 11. Chapple, Gt Carter-lane.
French, Rchd Valpy, Moore-pl, Kennington-rd, in no occupation. March 23. April 14 at 11. Aldridge & Bromley.
Gatward, Wm Walter, New Wellington-st, Roman-rd, Holloway, Land Surveyor. March 21. April 14 at 11. Aldridge & Bromley.
Graves, John, jun, Chelsfield, nr Bromley, Kent, Agricultural Labourer. March 21. April 14 at 11. Aldridge & Bromley.
Hawthorn, Elwin (and not Edwin Hawthorn as previously advertised).
Hayes, John, Kingsland-rd, Tailor. March 21. April 13 at 1. Aldridge.
Jackson, John Jas, St Mary-st, Whitechapel-rd, Beer Retailer. Pet March 23. April 14 at 2. Mason, Cloudesley-ter, Liverpool-rd, Islington.
James, Wm Hy, Warren-st, Middlx, Builder. Pet March 20. April 16 at 11. Watson, Cannon-st.
Lerach, Peter, Newington-crescent, Balls Pond, Baker. Pet March 23. April 13 at 12. Fossick, Broad-st-buildings.
Lewis, John Rchd, Harrington-st, Hampstead-rd, Middlx, out of business. Pet March 24. April 13 at 1. Hare, Old Jewry.
Lovett, Thos Edw, Marlborough-rd, Old Kent-rd, Merchant. Pet March 23 (for pau). April 16 at 12. Aldridge.
Martyn, Hy Francis, Railway-pl, Fenchurch-st, Tobacconist. March 21. April 13 at 12. Aldridge.
O'Ryan, Jas, South Molton-st, Oxford-st, Comm Agent. Pet March 24 (for pau). April 14 at 2. Aldridge.
Payne, Jarvis, Winter-ter, Union-rd, Newington, Surrey, Dealer in Hops. March 20. April 13 at 2.30. Aldridge.
Pearson, Rchd, High-st, Notting-hill, out of business. Pet March 21 (for pau). April 14 at 11. Aldridge & Bromley.
Pilkington, John, & Daniel Pilkington, Fenchurch-st, Ship Brokers. Pet March 24. April 14 at 12. Thomas & Hollams, Mincing-lane.
Preston, Wm Hy, Lambeth-walk, Lambeth, Hosier. Pet March 23. April 14 at 11. Marshall & Son, Hatton-garden.
Reading, Wm, Claremont Cottage, Hammersmith, Coachmaker. Pet March 23 (for pau). April 13 at 11. Aldridge.
Reynolds, Geo, Romford, Essex, Pig Dealer. Pet March 26. April 13 at 12. Wells, Moorgate-st.
Smith, Daniel David, Newport-ter, Sidney-st, Mile End, out of business. Pet March 24 (for pau). April 14 at 12. Aldridge & Bromley.
Stennett, John, Saville-pl, Mile End-rd, Middlx, Greengrocer. March 21. April 14 at 11. Aldridge & Bromley.
Ward, Hy, Blackmore, Essex, Carpenter. Pet March 25. April 14 at 12. Harrison, Basinghall st.
Ward, John, Frederick-st, Cornwall-rd, Surrey, Foreman to a Contractor. Pet March 23. April 13 at 12. Dobson, James-st, Adelphi.
Waring, Wm Joseph, First-st, Chelsea, out of business. Pet March 23. April 13 at 12. Fisher, Coleman-st.
Watson, Jas Harvey, London-st, Norwich, Tailor. Pet March 23. April 13 at 11. Hand, Coleman-st.

To Surrender in the Country.

Ashby, Thos, Fletching, Sussex, Miller. Pet March 17. Lewes, April 9 at 10. Langham, Uckfield.
Bakewell, Wm Wells, Loughborough, Licensed Victualler. Pet March 23. Loughborough, April 9 at 10. Dean, Loughborough.
Berry, Newton, Metheringham, Lincoln, out of employ. Pet March 23. Lincoln April 6 at 11. Brown & Son, Lincoln.
Brooks, Moses, Edenbridge, Kent, Miller. Pet March 24. Tonbridge, April 9 at 12. Pearless, East Grinstead.
Browning, Wm Goldsmith, New Brompton, Kent, out of business. Pet March 25. Rochester, April 10 at 2. Morgan, Maidstone.
Buckingham, Hy, Swindon, Wilts, Labourer. Pet March 24. Swindon, April 11 at 10. Rawlings, Melksham.
Burn, Geo, Kingston-upon-Hull, Private Asylum Keeper. Pet March 21. Kingston-upon-Hull, April 15 at 12. Levett & Champney, Hull.
Carney, Edward, Lpool, out of business. Pet March 17. Lpool, April 9 at 11. Husband, Lpool.
Cater, Chas, King's Lynn, Dealer in Cattle. March 16. King's Lynn, April 14 at 11. Beloe, King's Lynn.
Catterson, Joseph, West Hartlepool, out of business. Feb 18. Newcastle-upon-Tyne, April 14 at 12. Hoyle, Newcastle-on-Tyne.
Collyns, Wm, Macclesfield, Surgeon. Pet March 26. Macclesfield, April 9 at 11. Barclay, Macclesfield.
Cooper, Wm, Dudley, Boot Maker. March 17. Dudley, April 9 at 11. Maltby, Dudley.
Crighton, Wm, Thos Teggin, & Geo Carter, Salford, Machinists. Pet March 24, Manch, April 15 at 11. Sale & Co, Manch.
Cross, John, Bilston, Stafford, Butcher. Pet. Wolverhampton, April 13 at 12. Bartlett, Wolverhampton.
Cumming, Robt, Sebeigham, Cumberland, Bone Manure Dealer. Pet (for pau) Dec 18. Wigton, April 15 at 11.
Davies, Morgan, Cwmdare, Aberdare, Victualler. Pet March 24. Aberdare, April 7 at 11. Simons, Merthyr Tydfil.
Doel, Joseph, Bridgwater, Somerset, Hay Dealer. Pet March 16. Exeter, April 10 at 12. Barham, Bridgwater, and Hirtzel, Exeter.
Doxey, Wm, Middleton, Wirksworth, Derby. Pet March 17. Wirksworth, April 18 at 11. Neale, Matlock.
Drake, Joseph, Halifax, Innkeeper. Pet March 25. Halifax, April 10 at 10. Sutcliffe, Sowerby Bridge.
Driver, Edward, New Wortley, nr Leeds, Cloth Manufacturer. Pet March 17. Leeds, April 13 at 11. Simpson, Leeds.
Dunn, Richd, Buckfastleigh, Devon, Miner. Pet March 19. Totnes, April 11 at 11. Michelmore, Totnes.
Eccles, Moses Oswald, Lpool, Beer Seller. March 18. Newcastle-under-Lyme, April 8 at 10. Litchfield, Newcastle-under-Lyme.
Edwards, Philip, St Clears, Carmarthen, Farmer. Pet March 21. Carmarthen, April 8 at 10. Jeffries, Carmarthen.
Evans, John, Christchurch, Southampton, Farmer. Pet March 25. Christchurch, April 15 at 3. Sharp, Christchurch.
Flowers, John, Whitmore Reans, Wolverhampton, Tailor. March 13. Wolverhampton, April 13 at 12.
Gardner, Thos Wm, Birm, Coin Agent. Pet March 23. Birm, April 10 at 12. Powell, Birm.
Goodden, Danl Fussell, Lpool. Pet March 23. Lpool, April 14 at 3. Best, Lpool.
Gore, Jas, Lpool, Victualler. Pet March 18. Lpool, April 10 at 11. Wilson, Lpool.
Gouldsborough, Robt, Gt Grimsby, Lincoln, Smack Owner. Pet March 21. Kingston-upon-Hull, April 15 at 12. Brown & Son, Lincoln.
Gwyer, Saml Vowles, Bristol, Broker. Pet March 20. Bristol, April 8 at 11. Harris, Bristol.
Hall, Frank, Hanley, Stafford, Victualler. Pet March 25. Birm, April 15 at 12. Litchfield, Newcastle-under-Lyme, and James & Co, Birm.
Hampson, Wm, Hindley, Lancaster, Brick Maker. Pet March 25. Manch, April 17 at 11. Crowther & Farrington, Manch.
Harrison, John, Nottingham, out of business. Pet March 21. Nottingham, April 22 at 11. Heathcote, Nottingham.
Hazlehurst, Jeremiah, Wolverhampton, Victualler. Pet. Wolverhampton, April 13 at 12. Ward, Wolverhampton.
Hill, Jas Rixon, Barnetby-le-Wold, Lincoln, Coal Merchant. Pet March 23. Brigg, April 13 at 11. Owston, Brigg.
Humphreys, John Goodman, Manch, Tobacconist. Pet March 25. Manch, April 14 at 11. Boote, Manch.
Hunter, John, Sheffield, Brewer's Traveller. Pet March 25. Sheffield, April 15 at 2. Broadbent, Sheffield.
Jaques, John James, Leeds, out of business. Pet March 24. Halifax, April 10 at 10. Norris & Foster, Halifax.
Jarvis, John, Haddenham, Buckingham, Baker. March 16. Thame, April 13 at 10. Kilby, Banbury.
Jones, John Cotton, Lpool, General Broker. Pet March 25. Lpool, April 10 at 11. Hindle, Lpool.
Jones, Moses Pritchard, Aston Manor, Warwick, Painter. Pet March 13 (for pau). Birm, April 13 at 10.
Jordan, Jas Sheward, Madley, Hereford, Farmer. Pet March 25. Birm, April 13 at 12. Wright, Birm.
Kay, Robt Stanley, Derby, Brush Manufacturer. Pet March 24. Nottingham, April 14 at 11. Gamble & Leech, Derby.
Knaggs, Wm, Whitby, Master Mariner. Pet March 25. Leeds, April 16 at 11. Pettingell, Hull.
Knapton, Eri, Huntspill, Somerset, Wheelwright. Pet March 23. Bridgwater, April 15 at 9. Barham, Bridgwater.
Kruger, Simon, Kendal, Westmorland, Hairdresser. Pet March 23. Kendal, April 7 at 11. Moner & Co, Kendal.
Lambert, Christopher, Newcastle-upon-Tyne, Draper. Pet March 21. Newcastle-upon-Tyne, May 2 at 10.
Lawson, Thos, Wheaton Aston, Stafford, Innkeeper. Pet. Wolverhampton, April 13 at 12. Bartlett, Wolverhampton.
Livingston, John, Birm, Provision Dealer. Pet March 19 (for pau). Birm, April 13 at 10.
Morris, Richd, Birm, Wire Manufacturer. Pet March 21. Birm, April 13 at 12. Allen, Birm.
Morse, Edw Hy Embly, Newent, Gloucester, Small Farmer. Pet March 23. Newent, April 7 at 1. Wilkes, Gloucester.
Mortimer, Geo Wm, Eccles, Accountant's Clerk. Pet March 20. Manch, April 1 at 9.30. Swan, Manch.
Phillips, John, St Michael, Cwmdu, Brecon, Farmer. Pet March 23. Bristol, April 8 at 11. Lewis, Crickhowell.
Pollard, Wm, Sandwich, Plumber. Pet March 23. Sandwich, April 8 at 12. Mourilyan, Sandwich.
Porter, Wm, Brixham, Devon, Victualler. Pet March 19. Totnes, April 11 at 11. Michelmore, Totnes.
Price, Edwin, Birm, Scrap Iron Dealer. Pet March 25. Birm, April 15 at 12. East, Birm.
Procter, Nenian, jun, Headingley, York, Stone Merchant. Pet March 24. Leeds, April 13 at 11. Simpson, Leeds.
Rawle, Richd Easby, Lpool, Master Porter. Pet March 5. Lpool, April 13 at 3. Goldrick, Lpool.
Richens, Chas, Highworth, Wilts, out of business. Pet Feb 28. Swindon, April 11 at 10. Rawlings, Melksham.
Robinson, Jas, Nottingham, Hay Dealer. Pet March 24. Nottingham, April 4 at 11. Smith, Nottingham.
Salmon, Richd, New Sleford, Lincoln, Victualler. Pet March 24. Nottingham, April 14 at 12. Brown & Son, Lincoln.
Sheppard, John Hy, Birm, Tailor. Pet March 19 (for pau). Birm, April 13 at 10.
Skeath, John Wolton, Moulton, Lincoln, Carpenter. Pet March 16. Spalding, April 15 at 9.15. Brown & Son, Lincoln.

Smith, Wm, Stourbridge, Worcester, Hosier. Pet March 21. Stourbridge, April 20 at 10. Maltby, Stourbridge.
Smylie, Robt, Salford, Grocer. Pet March 24. Salford, April 11 at 9.30. Ambler, Manch.
Somerville, Wm, Newcastle-upon-Tyne, Cork Cutter. Pet March 21. Newcastle-upon-Tyne, May 2 at 10. Joel, Newcastle-upon-Tyne.
Stephens, John, Carmarthen, Grocer. Pet March 23. Bristol, April 8 at 11. Heaven, Bristol.
Stubbs, Joseph, Congleton, Chester, Painter. Pet March 24. Congleton, April 6 at 11. Washington, Congleton.
Sutcliffe, Wm, & John Sutcliffe, Todmorden, York, Cotton Manufacturers. Pet March 23. Leeds, April 13 at 11. Sale & Co, Manch, and Richardson & Turner, Leeds.
Tiernan, Jas, Lpool, Master Mariner. March 16. Lpool, April 13 at 3. Best, Lpool.
Tomlin, Alwin, Cambridge, Miller. Pet March 2. Wisbech, April 16 at 12. Ollard, Upwell.
Trubody, Saml Hicks, Bitton, Gloucester, Farmer. Pet March 24. Bristol, April 8 at 11. Bush & Ray, Bristol.
Vernon, John, South Molton, Devon, Gardener. Pet March 23. South Molton, April 13 at 10. Shapland, South Molton.
Walker, Wm, Halifax, Working Gardener. Pet March 24. Halifax, April 10 at 10. Holroyde, Halifax.
West, Joseph, New Accrington, Plasterer. Pet March 24. Haslingden, April 14 at 12. Barlow, Accrington.
White, Wm Taylor, West Hartlepool, Grease Maker. Pet March 20. Hartlepool, April 8 at 11. Marshall, West Hartlepool.
Whitehead, John, Sibson, Huntingdon, Carter. Pet March 24. Stamford, April 13 at 11. Law, Stamford.
Williams, Wm, Swindon, Wilts, Victualler. Pet March 23. Swindon, April 11 at 10. Rawlings, Melksham.
Willis, John, Newcastle-upon-Tyne, Miller. Pet March 19. Newcastle-upon-Tyne, April 14 at 12. Ingledew & Daggett, Newcastle-upon-Tyne.
Willis, Wm, Highworth, Wilts, Sawyer. Pet March 21. Swindon, April 11 at 10. Rawlings, Melsham.
Yeates, John, Chippenham, Wilts, Tailor. Pet March 24. Bristol, April 8 at 11. Brittan & Sons.

TUESDAY, March 31, 1863.

To Surrender in London.

Atkins, Thos, Aldershot, Southampton, Draper. Pet March 27. April 14 at 1. Shiers, New-inn.
Bartlett, Joseph, Forest-row, Dalston, Coal Agent. Pet March 26. April 14 at 11. Reed & Reed, Guildhall-chambers.
Beer, John, Graves-ter, Walworth-rd, Carver & Gilder. Pet March 24. April 13 at 2. Tonge, Upper King-st, Bloomsbury.
Camm, Jas, Kemp's-row, Pimlico, Schoolmaster. Pet March 23. April 14 at 2. Cooper, Charing-cross.
Chamberlain, Thos. sen, Gloucester-pl, Croydon, Builder. Pet March 27. April 14 at 1. Marshall & Son, Hatton-garden.
Corney, Wm, Winchmor-hill, Florist. Pet March 25 (for pau). April 13 at 2.30. Aldridge.
Curties, Thos Stephen, Nelson-sq, Peckham, Cheesemonger. Pet March 26 (for pau). April 14 at 1. Aldridge.
Elliott, Rchd Wm, River-st, York-rd, Middlx, Plaster of Paris Dealer. Pet March 26. April 16 at 1. Rodgers, Clement's-inn.
Ellis, John, Gutter-lane, Cheapside, Mantle Manufacturer. Pet March 28. April 14 at 1. Waldron, Lambs'-Conduit-st.
Forster, John, Upper Whitecross-st, Butcher. Pet March 26 (for pau). April 14 at 2.30. Aldridge.
Fowler, Rchd, Melina-pl, Westminster-rd, Coach Builder. Pet March 26 (for pau). April 14 at 2.30. Aldridge.
Gunn, Saml, & Thos Gunn, Featherstone-st, City-rd, Engineers. Pet March 26. April 16 at 1. Voules, Gresham-st.
Hall, Chas Vincent, Westbourne-pl, Paddington, Riding Master. Pet March 26. April 14 at 12. Thorn, Gray's-inn.
Hollingsworth, John, Wright's-rd, Bow, Baker. Pet March 27. April 14 at 2. Bartley, Bartlett's-buildings.
Huff, John, Stoke-by-Nayland, Suffolk, Farmer. Pet March 27. April 16 at 12. Keighley & Gething, Ironmonger-lane, for Newman & Harper, Hadleigh.
Kimpton, Edw, Tabernacle-walk, Finsbury, Saddler. Pet March 26. April 16 at 1. Buchanan, Basinghall-st.
Mott, Geo, Emsworth, Hampshire, Brewer. Pet March 26. April 14 at 2. Nichols & Clark, Cook's ct, and Stening, Portsea.
Netting, Rchd, City-rd, Clerk in the Post Office. Adj March 21. April 14 at 12. Aldridge.
Phillips, Saml, Henley-st, Batterses-park, Builder. Pet March 19. April 14 at 11. Kent, Cannon-st West.
Redmond, John, Sun-st, Bishopgate-st, Greengrocer. Adj March 21. April 13 at 12. Aldridge.
Rodwell, Wm, Artillery-lane, Bishopgate-st, Plumber. Pet March 25 (for pau). April 13 at 2. Aldridge.
Simester, John Edwin, Old Bailey, Corn Dealer. Pet March 26. April 14 at 1. Buchanan, Basinghall-st.
Sullivan, Mary, Spinster, High-st, Kensington, Publican. Pet March 24 (for pau). April 13 at 2.30. Aldridge.
Storr, John, Mortlake, Upholsterer. Pet March 27. April 14 at 1. Haynes, Southampton-buildings.
Terry, Emily Esther, Talbot-rd, Bayswater, Boarding House Keeper. Adj March 21. April 13 at 2.30. Aldridge.
Thomson, Jas, Churton-st, Pimlico, Domestic Servant. Pet March 26. April 13 at 2.30. Cooper, Charing-cross.
Tregesser, Matthew, Lant-st, Southwark, Baker. Pet March 26. April 13 at 1. Treherne & Wolferstan, Gresham-st.
Vaughan, Thos, Gray's-inn rd, Lodging House Keeper. Pet March 25 (for pau). April 13 at 11. Aldridge.
Walton, Benj, Panton-st, Haymarket, Tailor. Pet March 28. April 14 at 2. Windsor, Old Jewry.
Warren, John, Burlton, Hants, Coal Merchant. Pet March 27. April 13 at 2. White, Dane's-inn.
Wyatt, Rchd, Campden-st, Kennington, Journeyman Baker. Pet March 27. April 13 at 1. Hare, Old Jewry.

To Surrender in the Country.

Allison, Thos, Staindrop, Durham, out of business. Pet March 24. Newcastle-upon-Tyne, April 16 at 12. Thompson & Lisle, Durham.
Barnett, Geo, Birm, Provision Dealer. Pet March 19 (for pau). Birm, April 13 at 10.
Bastin, John, Hanley, Stafford, Grocer. Pet March 28. Birm, April 15 at 12. Tennant, Hanley, and Smith, Birm.
Benham, John, Winchester, Gent. Pet March 25. Winchester, April 13 at 11. Hollis, Winchester.
Beynon, Wm, Birm, Tube Raiser. Pet March 26. Birm, April 13 at 10. Hodgson & Co, Birm.
Biddle, Geo, Birm, Brush Maker. Pet March 27. Birm, April 13 at 10. East, Birm.
Burdett, Edmund Horatio, Little Peatling, nr Lutterworth, Ale Dealer. Pet March 4. Birm, April 17 at 12. James & Co, Birm.
Carr, Chas, Barnsley, Wood Turner. Pet March 27. Barnsley, April 24 at 2. Patteson, Sheffield.
Carpenter, Thos Gibbins, Kingston, Gloucester, Brick Maker. Pet March 26. Bristol, April 10 at 11. Thurston, Thornbury.
Carver, Joseph, & Edwin Alf Barber, Wells, Somerset, Upholsterers. Pet March 30. Bristol, April 17 at 11. Beavan & Co, Bristol.
Clements, Abraham, Cleaton, Cumberland, Butcher. Pet March 24. Whitehaven, April 8 at 11. Pattson, Whitehaven.
Crockford, Wm, Dorchester, Engineer. Pet March 27. Dorchester, April 10 at 2. Cornelious, Weymouth.
Cutting, Wm Alex, Ulceby, Lincoln, Tin-plate Worker. Pet March 23. Barton-on-Humber, April 14 at 11. Bygott, Barton-on-Humber.
Day, Jas, Luton, Grocer. Pet March 27. Luton, April 11 at 12. Bailey, Luton.
Dennis, Geo, Horncastle, Lincoln, Haberdasher. Pet March 20. Horncastle, April 7 at 11. Adcock, Horncastle.
Faulkner, Geo, Penkridge, Stafford, Brickmaker. Pet March 27. Stafford, April 20 at 10. Bowen, Stafford.
Flewitt, Thos, Birm, Tool Maker. Pet March 26. Birm, April 13 at 10. Elkington, Birm.
Foord, Joshua Wm, Brighton, Railway Clerk. Pet March 25. Brighton, April 15 at 11. Goodman, Brighton.
Gardner, Thos Wm, Birm, Commission Agent. Pet March 23. Birm, April 10 at 12. Powell, Birm.
Gibbs, Joseph, Warminster, Draper. Pet March 28. Warminster, April 13 at 11. Wakeman.
Gobbi, Peter, & Pasquale Gobbi, Leeds, Looking Glass Makers. Pet March 23. Leeds, April 15 at 12.30. Harle, Leeds.
Green, Geo, Alfreton, Derby, Currier. Pet March 28. Sheffield, April 11 at 10. Rickards & Son, Alfreton, and Unwin, Sheffield.
Gresswell, Wm Kemp, Gt Grimsby, Innkeeper. Adj March 19. Lincoln, April 17 at 11. Brown & Son, Lincoln.
Halliwell, Jas, Weir Bridges, Scholes, Wigan, Lancaster, out of business. Pet March 28. Manch, April 23 at 11. Gardner, Manch.
Havenhand, Jas, Moxborough, Derby, Sickle Manufacturer. Pet March 24. Chesterfield, April 21 at 11. Busby, Chesterfield.
Higginson, Thos, Barthomley, Chester, Shoemaker. Pet March 7. Nantwich, April 9 at 10. Sheppard, Crewe.
Hill, Wm, Amblecote, Stafford, Brick Maker. Pet March 27. Stourbridge, April 20 at 10. Freer & Perry, Stourbridge.
Hirst, Joseph, Headingley, nr Leeds, Commission Agent. Pet March 27. Leeds, April 21 at 12. Harle, Leeds.
Holliday, Saml, Batley, York, Coal Proprietor. Pet March 27. Dewsbury, April 24 at 11. Ibberson, Dewsbury.
Hucknall, Alf, Loughborough, Attorney-at-Law. Pet March 27. Nottingham, April 21 at 11. Maples, Nottingham.
Ingle, John Edward, Colsterworth, Lincoln, Feltmonger. Pet March 28. Thrapston, April 14 at 10. Law, Stamford.
Jones, Rchd, Machynlleth, Montgomery, Innkeeper. Pet March 27, Lpool, April 10 at 12. Evans & Co, Lpool.
Jones, Thos, Hawthorne, nr Treforest, Glamorgan, Carpenter. Pet March 26. Pontypridd, April 11 at 11. Thomas, Pontypridd.
Jones, Thos Longueville, Macclesfield, Gun Maker. Pet March 27. Macclesfield, April 10 at 11. Barclay, Macclesfield.
Knott, Chas, Glossop, Victualler. March 13. Glossop, April 9 at 3. Ellison, Glossop.
Lowden, Wm, Newcastle-upon-Tyne, Coach Trimmer. Pet March 24. Newcastle, May 2 at 10. Bush, Newcastle-upon-Tyne.
Mainwaring, Wm, jun, Monks Coppenhall, Chester, Pianoforte Dealer. Pet March 16. Nantwich, April 9 at 10. Sheppard, Crewe.
Morgan, John, Pontypool, Monmouth, Grocer. Pet March 27. Bristol, April 10 at 11. Greenway & Bytheway, Pontypool, and Beavan & Co, Bristol.
Moss, John, Garston, Lancaster, Shoemaker. Pet March 26. Lpool April 16 at 3. Henry, Lpool.
Onions, Wm, sen, Sewdley, Gloucester, Bayonet Maker. Pet March 26. Newnham, April 16 at 11. Goold, Newnham.
Pritchard, Rchd, Hereford, Builder. Pet March 27. Birm, April 15 at 12. Underwood & Knight, Hereford, and Wright, Birm.
Read, Mary, & Marianne Humphreys, Bristol, Berlin Wool Dealers. Pet March 25. Bristol, April 10 at 11. Miller, Bristol.
Rowley, Thos, Barnsley, Boot Maker. Adj March 26. Barnsley, April 24 at 2. Rogers, Barnsley.
Senior, Hannah, Briesfield, nr Dewsbury, Innkeeper. Pet March 27, Dewsbury, April 24 at 11. Scholes & Son, Dewsbury.
Sheard, John Hawarth, Batley, York, Manufacturer. Pet March 30, Leeds, April 16 at 11. Iveson, Heckmondwike, and Bond & Barwick, Leeds.
Skinner, Nathan Fredk, Chipping Wycombe, Plumber. Pet March 25. High Wycombe, April 20 at 11. Spicer, Great Marlow.
Tebbutt, John, Rowell, Northampton, Builder. Pet March 25. Kettering, April 16 at 11. Rawlins, Market Harborough.
Thomas, John, Llwynefaufethyg, Carmarthen, Farmer. Pet March 23, Bristol, April 10 at 11. Hill, Bristol.
Topham, John, Nantwich, Chester, Grocer. Pet March 25. Nantwich, April 9 at 10. Jones, Nantwich.
Turner, John, Dovenby, Cumberland, Blacksmith. Pet March 27. Cockermouth, April 13 at 3. Moordaff, Cockermouth.
Vanson, Sarah, Minaker, Kent, Widow. Adj March 21. Maidstone, April 13 at 12.
Watson, Wm, West Firle, nr Lewes, Gent. Pet March 23. Lewes, April 10 at 10. Hillman, Cliffe, nr Lewes.
Yeomans, Elis Ann, & Rchd Fredk Yeomans, Manch, Provision Dealers. Pet March 25. Manch, April 20 at 9.30. Gardner, Manch.
Youngs, Wm, Heigham, Norwich, Road Contractor. Pet March 26. Norwich, April 13 at 11. Sadd, Norwich.

BANKRUPTCY ANNULLED.

FRIDAY, March 27, 1863.

Anderson, Thos Francis, Lpool, Attorney-at-Law. March 9.

TUESDAY, March 31, 1863.

Eardensohn, Joseph Geo, Mincing-lane, Wine Merchant.

BANKRUPTCIES IN IRELAND.

Comerford, Thos Nicholas, Dublin, Jeweller. To surr April 17, and May 1.
Kavanagh, James, Dublin, corn dealer. To surr April 14 and 28.
M'Gregor, Adam, Tralee, Grocer. To surr April 17 and May 1.
Skelly, John, Dublin, Car-keeper. To surr April 14 and 28.

HERNE-HILL AND DULWICH, SURREY.

The distinguished and elegant Residence and Important Freehold and Leasehold Estates of the late Elhanan Bicknell, Esq., deceased, within a few minutes' walk of the Herne-hill Railway Station.

MESSRS. ELLIS & SON are directed by the Executors to SELL by AUCTION, at GARRAWAY'S, on WEDNESDAY, APRIL 15, at TWELVE, in Lots, the following valuable and important PROPERTIES:—

1. The distinguished and elegant Residence of the late E. Bicknell, Esq., with lodge at entrance, containing noble lofty reception rooms, picture gallery, billiard room, ornamental conservatory, stabling and offices, and every accommodation for a family of distinction, surrounded by extensive and beautiful pleasure grounds and gardens laid out with the greatest taste, planted with the choicest shrubs, presenting an admirable example of horticultural skill, also park-like meadow land, in all about nine acres, finely timbered, pleasingly undulated, sloping to the south, embracing a charming view of the lovely landscape around. Held for an unexpired term of 53 years at a ground-rent.

2. The beautiful Villa adjoining, with stabling, pleasure grounds, and conservatory, let on lease to Mrs. Shepperson for a short term at £110 per annum; also held for 53 years, at a ground-rent.

3. The elegant Villa Residence, near the preceding, with stabling, delightful pleasure grounds, gardens, conservatory, and greenhouse, let on lease to J. T. Bell, Esq., at £180 per annum; also held for 53 years, at a ground-rent.

4. Two Freehold Residences, with gardens, 13 cottages and gardens, and two small houses, having a frontage to Half Moon-lane, let at rents amounting to £260 per annum, and a beautiful meadow of about 4¼ acres, adjoining the late Mr. Bicknell's grounds, and in his occupation, with entrance in Half Moon-lane.

5. The capital detached Residence, situate on Herne-hill, with stabling, gardens, and meadow land, let on lease to F. Collison, Esq., at £250 per annum; and a piece of land, let on a separate lease at £40 per annum; held for about 29 years, at a low rent.

6. A valuable Leasehold Estate, situate on Herne-hill, known as the Swiss Cottages, consisting of five residences of tasteful design, enclosed from the road with large gardens, let separately at rents amounting to £370 per annum; held for a term of 36 years, at a ground rent.

7. Seven Leasehold Cottages and Gardens, situate on Herne-hill, opposite the church, let at rents amounting to £160 per annum; held for a term of 18 years, at a ground-rent of £2 10s.

The several properties may be viewed by permission of the tenants by tickets only, to be had on personal application to Messrs. Ellis & Son.

Printed particular and plans, 1s. each, may be had of F. KEARSEY, Esq., Solicitor, 32, Bucklersbury; and of Messrs. ELLIS & SON, Auctioneers and Estate Agents, 49, Fenchurch-st.

CHELTENHAM.

A capital Freehold Residence, with stabling and offices.

MESSRS. ELLIS & SON are directed to SELL by AUCTION, at GARRAWAY'S, on TUESDAY, APRIL 21, at TWELVE, a capital FREEHOLD RESIDENCE, situate in a delightful and fashionable part of Cheltenham, being No. 24, Lansdown-place, a short distance from the Queen's Hotel: containing, on the upper floors, nine light commodious bed chambers, two dressing rooms, and waterclosets on landings; on the first floor, ante-room opening to conservatory, and two elegant drawing-rooms 32 feet by 21; on the ground floor, a handsome entrance-hall, vestibule, principal and secondary stone staircases, a dining room 23 feet by 17 feet 6, and a library; in the basement, most complete domestic offices, good cellarage, and yard at the back, communicating with a four-stalled stable, double coach-house, loft, and rooms. The premises are in thorough repair, and immediate possession may be had. To be viewed by applying at the residence.

Printed particulars may be had of Messrs. W. W. & R. WREN, Solicitors, 32, Fenchurch-street; of Messrs. YOUNG & GILLING, Estate Agents, Cheltenham; at Garraway's; and of Messrs. ELLIS & SON, Auctioneers and Estate Agents, 49, Fenchurch-street.

Wapping.—Freehold Ground.

MESSRS. ELLIS & SON are directed to SELL by AUCTION, at GARRAWAY'S, on TUESDAY, APRIL 21, at TWELVE, a PLOT of FREEHOLD BUILDING GROUND, enclosed with high brick wall and folding gates, having a frontage of 40 feet to Wapping High-street, and a depth of 60 feet, with frontage to Well-alley. It presents a most eligible site for a warehouse or for the erection of small houses, which readily let in such close proximity to the Docks.

Printed particulars may be had of Messrs. W. W. & R. WREN, Solicitors, 32, Fenchurch-street; at Garraway's; and of Messrs. ELLIS & SON, Auctioneers, &c., 49, Fenchurch-street.

Brixton.—A detached Villa Residence.

MESSRS. ELLIS & SON are directed by the Executors of the late Elhanan Bicknell, Esq., to SELL by AUCTION, at GARRAWAY'S, on TUESDAY, APRIL 21, at TWELVE, a capital detached VILLA RESIDENCE, of handsome elevation, in the most perfect order, with good garden, very pleasantly situate in the Effra-road, Brixton; let on lease to B. Hodgson, Esq., at £90 per annum; held for an unexpired term of 75 years at the ground-rent of £15 per annum.

Printed particulars may be had of F. KEARSEY, Esq., Solicitor, 32, Bucklersbury; at Garraway's; and of Messrs. ELLIS & SON, Auctioneers and Estate Agents, 49, Fenchurch-street.

Greenwich.—A good Freehold Investment.

MESSRS. ELLIS & SON are directed to SELL by AUCTION, at GARRAWAY'S, on TUESDAY, APRIL 21, at TWELVE, a FREEHOLD DWELLING-HOUSE, with modern shop, situate No. 14, Stockwell-street, Greenwich, an important thoroughfare, nearly opposite the Greyhound. It contains on the upper floors, four bed rooms and two sitting rooms; on the ground floor, a light lofty shop, with work room and parlour behind; kitchen, scullery, &c., in basement. Private door to the upper part. The premises are let on lease to Mr Metzner at the low rent of £60 per annum, and are underlet by him at an improved rent. To be viewed by permission of the tenant.

Printed particulars may be had of Messrs. DRUCE & SONS, Solicitors, Billiter-square; at Garraway's; and of Messrs. ELLIS & SON, Auctioneers and Estate Agents, 49, Fenchurch-street.

Periodical Sales of Absolute or Contingent Reversions to Funded or other Property, Annuities, Policies of Assurance, Life Interests, Railway, Dock, and other Shares, Bonds, Clerical Preferments, Rent Charges, and all other descriptions of present or prospective Property.

MR. FRANK LEWIS begs to give notice that his SALES for the present year will take place at the Auction Mart on the following days, viz.:—

Friday, April 10	Friday, September 11
Friday, May 8	Friday, October 9
Friday, June 12	Friday, November 13
Friday, July 10	Friday, December 11
Friday, August 14	

Particulars of properties intended for sale are requested to be forwarded, at least 14 days prior to either of the above dates, to the offices of the auctioneer, 36, Coleman-street, E.C., where information as to value, &c., and printed cards of terms may be had.

Periodical Sale.—Policies of Assurance in the Union and Albert Life Offices.

MR. FRANK LEWIS will SELL by AUCTION, at the MART, on FRIDAY, APRIL 10, at ONE precisely, a POLICY of ASSURANCE in the Union Life Office for the sum of £500, payable on a gentleman, now aged 42, attaining his 52nd year; also a Policy in the Albert Life Office for the sum of £500, on the same life.

Particulars may be had of Messrs. LAWRANCE, PLEWS, & BOYER, Solicitors, 14, Old Jewry-chambers; and of Mr. FRANK LEWIS, Auctioneer, &c., 36, Coleman-street.

Periodical Sale.—Absolute Reversionary Interest.

MR. FRANK LEWIS will SELL by AUCTION, at the MART, on FRIDAY, APRIL 10, 1863, the ABSOLUTE REVERSIONARY INTEREST in the sum of £962 3s. New Three per Cents., payable on the decease of a lady, now in her 72nd year, standing in the name of the Accountant-General in Chancery to a separate account.

Particulars may be had of Messrs. HARRISON & LEWIS, Solicitors, No. 24, Old Jewry, and of Mr. FRANK LEWIS, Auctioneer, Land and Estate Agent, 36, Coleman-street, E.C.

Periodical Sale.—Sutton.—Freehold Building Plots.

MR. FRANK LEWIS will SELL by AUCTION, at the MART, on FRIDAY, APRIL 10, at ONE, FIVE valuable FREEHOLD PLOTS of BUILDING LAND, situate at Sutton, close to the Angel Inn, on the London and Brighton main road.

Particulars may shortly be had at the Offices of the Auctioneer, 36, Coleman-street, E.C.

Periodical Sale.—Valuable, well-secured, Leasehold Rental.

MR. FRANK LEWIS will SELL by AUCTION, at the MART, on FRIDAY, APRIL 10, at ONE, a valuable NET RENTAL, equal to an Annuity, for 21 years certain, of £160 15s. per annum, arising out of the premises, No. 37 Wharf, City-road, held from the Regent's Canal Company direct, and let to the Grand Junction Canal Company for the whole term (less one day), expiring Lady-day, 1884.

Particulars, with conditions, may be had of Messrs. HARRISON & LEWIS, Solicitors, 24, Old Jewry; and at the Offices of Mr. FRANK LEWIS, Auctioneer, &c., 36, Coleman-st, E.C.

South Devon, about nine miles from Plymouth, twelve from Totnes, two from Modbury, and four from Ivybridge Station on the South Devon Railway.—Preliminary Advertisement.

MESSRS. DANIEL SMITH, SON, and OAKLEY have received instructions to prepare for SALE by AUCTION, at the MART, near the Bank of England, in the month of JUNE, an important FREEHOLD RESIDENTIAL PROPERTY, known as the Flete Estate; comprising a noble mansion of a baronial character, occupying one of the best sites in Devonshire, upon an eminence immediately above the vale through which flows the lovely river Erme, surrounded by beautiful scenery, and in the centre of a fine domain, embracing 2,252 acres of productive corn and root land, rich pastures and meadows, and valuable orcharding, and 350 acres of wood land and plantations, crowning the undulations, and forming magnificent features in the landscape, lying very compact in the several parishes of Holbeton, Ermington, Yealmpton, and Modbury, divided into fourteen large farms and other small occupations; impropriate tithe-rent charge in Holbeton and Ermington; and various chief and conventionary rents, producing under a moderate rental an income of nearly £4,800, forming a remarkably sound investment, united to the advantage of a salubrious climate, a picturesque country, and the enjoyments to be found in fine partridge, pheasant, woodcock, and wild fowl shooting, first-rate salmon and trout fishing, yachting and foxhunting within easy reach of Mr. Trelawny's capital meets, together with valuable seignorial and manorial rights and privileges.

Particulars, with lithographic plans, will shortly be published, and may then be obtained of RICHARD ANDREWS, Esq., Solicitor, Modbury; of GEORGE LYTHALL CROCKET, Esq., Solicitor, 61, Lincoln's-inn-fields, W.C.; of Messrs. GODWIN & PICKETT, Solicitors, 3, King's-bench-walk, E.C.; and of Messrs DANIEL SMITH, SON, & OAKLEY, Land Agents and Surveyors, 10, Waterloo-place, Pall-mall, S.W.